

Also, petition of the National Association of Manufacturers, T. C. Search, president, of Cincinnati, Ohio, in favor of various measures for the promotion of American industries and commercial progress with other nations—to the Committee on Ways and Means.

By Mr. HILL: Resolutions of Elias Howe Post, Grand Army of the Republic, Bridgeport, Conn., favoring the passage of House bill No. 5779, the veteran-preference bill—to the Committee on Reform in the Civil Service.

Also, resolution of the Connecticut State Board of Trade, in favor of the Loud bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HITT: Petition of citizens of Orangeville, Ill., favoring the passage of the Grout bill—to the Committee on Agriculture.

Also, resolutions of Home Missionary societies and certain churches of Rockford, Freeport, Cedarville, Galena, Dakota, Elizabeth, and Polo, Ill., against the importation and sale of intoxicating liquors in the insular possessions and for the reenactment of the anti-canteen law—to the Committee on Military Affairs.

By Mr. LACEY: Sixty-two affidavits of settlers and occupants of certain lands in the State of Washington and blue print relating to House bill No. 12124, to authorize the issuance of patents to settlers—to the Committee on the Public Lands.

By Mr. LITTLEFIELD: Sundry petitions of farmers and others in the State of Maine, urging the passage of the Grout bill and House bill No. 9677, known as the Brosius bill—to the Committee on Agriculture.

By Mr. MILLER: Petitions of J. F. Jett, J. Radcliff, and T. Jensen and others in the State of Kansas, favoring the passage of the Grout bill to increase the tax on oleomargarine, etc.—to the Committee on Agriculture.

By Mr. OVERSTREET: Petition of the Mathews Medical Company and 11 other drug companies of Indianapolis, Ind., praying for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

Also, papers to accompany House bill granting a pension to Patrick Brennan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Gideon Johnson—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Papers to accompany House bill granting an increase of pension to Thomas Milsted—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Paper to accompany House bill for the relief of A. T. Hensley—to the Committee on War Claims.

By Mr. STEWART of New York: Petition of Young People's Society of Christian Endeavor and Epworth League, of Sloansville, N. Y., for the suppression of liquor selling in our new islands and in our Army—to the Committee on Military Affairs.

Also, paper to accompany House bill for the relief of Norman W. Herdman—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: Resolution of the Medina (Mich.) Farmers' Club, favoring the passage of an amendment to the Constitution prohibiting polygamy—to the Committee on the Judiciary.

By Mr. YOUNG of Pennsylvania: Petition of A. H. Scherzer, of Chicago, Ill., for "the commercial freedom of the United States"—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Third Corps of the Army of the Potomac for an appropriation sufficient to complete at an early date the work provided for by the national park act—to the Committee on Military Affairs.

Also, memorial of the Merchants' Exchange and other commercial and industrial bodies of St. Louis, Mo., for the improvement of the Mississippi River—to the Committee on Rivers and Harbors.

SENATE.

TUESDAY, December 4, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

LUCIEN BAKER, a Senator from the State of Kansas; MARION BUTLER, a Senator from the State of North Carolina; CLARENCE D. CLARK, a Senator from the State of Wyoming; HENRY C. HANSBROUGH, a Senator from the State of North Dakota; HENRY HEITFELD, a Senator from the State of Idaho, and RICHARD F. PETTIGREW, a Senator from the State of South Dakota, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM IOWA.

Mr. ALLISON. Mr. President, I present the credentials of Hon. Jonathan P. Dolliver, appointed by the governor of Iowa to the place in the Senate made vacant by the death of the late Senator Gear.

The credentials of Jonathan Prentiss Dolliver, appointed by the governor of the State of Iowa to fill the vacancy from that

State in the term ending March 3, 1905, occasioned by the death of Senator John H. Gear, were read and ordered to be filed.

The PRESIDENT pro tempore. The Senator appointed will present himself at the desk and take the necessary oath.

Mr. Dolliver was escorted to the Vice-President's desk by Mr. ALLISON, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

PARIS EXPOSITION OF 1900.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and referred to the Select Committee on Industrial Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, copy of a letter from the Commissioner-General of the United States to the Paris Exposition of 1900, of November 17, 1900, giving a detailed statement of the expenditures of the commission for the year ended November 15, 1900.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,

Washington, December 4, 1900.

ISTHMIAN CANAL COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and referred to the Committee on Inter-oceanic Canals, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, a preliminary report of the Isthmian Canal Commission, dated November 30, 1900.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, December 4, 1900.

Mr. MORGAN. I move that 10,000 extra copies of that report be printed; 6,000 for the use of the House, 3,000 for the use of the Senate, and 1,000 for the use of the commission.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent for an order of the Senate that 10,000 extra copies of the report be printed.

Mr. HALE. I have no objection, but the rule—in fact, the law—provides that a motion to print any document, where the printing will cost more than \$500, shall go to the Committee on Printing.

Mr. MORGAN. I do not know, but I suppose that the extra copies would not cost more than \$500.

Mr. HALE. It is a pretty extensive report.

The PRESIDENT pro tempore. It is not voluminous at all.

Mr. LODGE. Is not this the preliminary report?

The PRESIDENT pro tempore. It is the preliminary report.

Mr. MORGAN. It is the preliminary report.

Mr. LODGE. It is a very short report.

Mr. HALE. Then undoubtedly the cost will be within \$500. I do not object to the motion.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

REPORT OF THE SECRETARY OF THE TREASURY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1900; which was referred to the Committee on Finance, and ordered to be printed.

REPORT OF THE ATTORNEY-GENERAL.

The PRESIDENT pro tempore laid before the Senate the annual report of the Attorney-General for the fiscal year ended June 30, 1900; which was referred to the Committee on the Judiciary, and ordered to be printed.

REPORT OF THE COMPTROLLER OF THE CURRENCY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Comptroller of the Currency for the year ended October 31, 1900; which was referred to the Committee on Finance, and ordered to be printed.

REPORT OF THE COMMISSIONER OF FISH AND FISHERIES.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioner of Fish and Fisheries, transmitting, in compliance with law, a statement showing expenditures under all appropriations for propagation of food-fishes during the fiscal year ended June 30, 1900, etc.; which, with the accompanying papers, was referred to the Committee on Fisheries, and ordered to be printed.

REPORT OF THE PUBLIC PRINTER.

The PRESIDENT pro tempore laid before the Senate the annual report of the operations of the Government Printing Office for the fiscal year ended June 30, 1900; which was referred to the Committee on Printing, and ordered to be printed.

GOVERNMENT PRINTING OFFICE.

The PRESIDENT pro tempore laid before the Senate a communication from Brig. Gen. John M. Wilson, Chief of Engineers, United States Army, transmitting the report of operations upon the new building for the Government Printing Office for the year

ended November 30, 1900; which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REVISION OF LAWS RELATIVE TO PATENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the commission appointed by the President under the act entitled "An act appointing commissioners to revise the statutes relating to patents, trade and other marks, and trade and commercial names," approved June 4, 1898, transmitting the report called for by that act; which, with the accompanying papers, was referred to the Committee on Patents, and ordered to be printed.

LAND ENTRIES IN OREGON.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of June 7, 1900, a letter from the Commissioner of the General Land Office relative to the allowance of entries for lands within the limits of wagon-road or railroad grants in the State of Oregon; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

ELECTORAL VOTES OF NEW JERSEY, VERMONT, AND DELAWARE.

The PRESIDENT pro tempore laid before the Senate three communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President from the States of New Jersey, Vermont, and Delaware; which, with the accompanying papers, were ordered to lie on the table.

REPORT ON THE CONGRESSIONAL LIBRARY BUILDING.

The PRESIDENT pro tempore laid before the Senate a communication from the superintendent of the Library building and grounds, transmitting the report of the operations and proceedings in connection with the building for the Library of Congress; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JUDGMENTS OF COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting, in compliance with law, a statement of the judgments rendered by that court for the year ended November 29, 1900, etc.; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel brig *Caroline*, Elihu Cotton, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John Mann vs. The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed finding by the court relating to the vessel sloop *Abigail*, Samuel Robinson, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of N. C. Perkins, administrator of J. J. Todd, deceased, vs. The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

JUDGMENTS IN INDIAN DEPREDAATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, pursuant to the provisions of section 8 of the act of Congress approved March 3, 1891, a list of judgments rendered in favor of claimants and against the United States and defendant Indian tribes, not heretofore appropriated for; which, with the accompanying papers, was referred to the Committee on Indian Depredations, and ordered to be printed.

REPORTS OF SECRETARY OF THE SENATE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Senate, transmitting a full and complete account of all property, including stationery, belonging to the United States in his possession on December 3, 1900; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secre-

tary of the Senate, transmitting a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items of expense under the proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in his possession from February 1, 1900, to June 30, 1900; which, with the accompanying papers, was ordered to lie on the table and be printed.

REPORTS OF SERGEANT-AT-ARMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Sergeant-at-Arms of the Senate, transmitting a full and complete account of all property belonging to the United States in his possession December 3, 1900; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Sergeant-at-Arms of the Senate, transmitting a statement of receipts from the sale of condemned property; which was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of Sheridan Post, No. 34, Grand Army of the Republic, of Salem, Mass., praying for the enactment of legislation granting preference to veterans in the public service; which was referred to the Committee on Military Affairs.

He also presented 41 petitions of citizens of Massachusetts, praying for the enactment of legislation relative to the sale and manufacture of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. SEWELL presented petitions of the Woman's Home and Foreign Missionary societies of the Presbyterian Synod; of sundry citizens of Orange and East Orange, Irvington, Lambertville, Newark, Leonia, New Vernon, Millington, Sterling, Longhill, and Logansville; of the Woman's Christian Temperance Union of Orange; of the Woman's Home Missionary Society of the Central Presbyterian Church, of Orange; of the Ladies' Aid Society of the Calvary Methodist Episcopal Church of East Orange, and of the Political Study Club, of Orange, all in the State of New Jersey, praying for an adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of members of the Third Corps of the Army of the Potomac, praying that an appropriation be made to enable the Gettysburg National Park Commission to secure lands needed for that park, etc.; which was referred to the Committee on Military Affairs.

He also presented a petition of the select and common councils of Philadelphia, Pa., praying for the enactment of legislation authorizing the present site of the United States mint in that city to be used as a free public library; which was referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN presented a petition of the Woman's Christian Temperance Union of Detroit, Mich., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange or canteen, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented petitions of the Woman's Home Missionary Society of Detroit, the Young Lady's Missionary Society of Palmyra, the Woman's Missionary Society of the Central Presbyterian Church of Detroit, the Woman's Missionary Society of the Jefferson Avenue Presbyterian Church of Detroit, the Woman's Missionary Society of the First Presbyterian Church of Marquette, the Westminster Woman's Association of Detroit, the Woman's Missionary Society of the First Presbyterian Church of Ithaca, the Woman's Missionary Society of the Memorial Presbyterian Church of Detroit, the First Presbyterian Church of Bay City, and of sundry citizens of Benzonia, all in the State of Michigan, praying for an adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of the congregation of the Methodist Episcopal Church of Elwood, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in countries inhabited by native races; which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the Manufacturers' Association of New York, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Third Army Corps Union, Army of the Potomac, praying that an appropriation be made to enable the Gettysburg National Park Commission to secure the lands needed for that park, etc.; which was referred to the Committee on Military Affairs.

He also presented the petition of J. W. Gale, praying for the enactment of legislation changing the date for the inauguration of the President of the United States from March 4 to January 1; which was referred to the Committee on the Judiciary.

Mr. GALLINGER. I present numerous petitions and letters from farmers in the State of New Hampshire for reference to the Committee on Agriculture and Forestry. They ask for the enactment of a law governing the matter of oleomargarine, requiring that it shall be sold for what it really is, a contention that I very heartily support.

The PRESIDENT pro tempore. The petitions and letters will be referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of Pomona Grange, No. 13, Patrons of Husbandry, of Grafton County, N. H., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. PROCTOR. I present a joint resolution of the legislature of Vermont relative to the procurement of recognition of the service of Capt. Charles E. Clark, which I ask may be read and referred to the Committee on Naval Affairs.

The memorial was read, and referred to the Committee on Naval Affairs, as follows:

STATE OF VERMONT, OFFICE OF SECRETARY OF STATE.
Montpelier, November 16, 1900.

SIR: I have the honor to transmit herewith a certified copy of a joint resolution relating to the procurement of recognition of the service of Capt. Charles E. Clark adopted by the general assembly of Vermont at its pending biennial session, and which by its terms requires that copies be transmitted to Vermont's Senators and Representatives in Congress.

Very respectfully, yours,

FRED A. HOWLAND,
Secretary of State.

HON. REDFIELD PROCTOR,
Proctor, Vt.

Resolved by the senate and house of representatives, That our Senators in Congress be instructed, and our Representatives be requested, to endeavor to secure from Congress some proper recognition of and reward for the extraordinary service of Capt. Charles E. Clark, in command of the battle ship Oregon during the late Spanish war.

Resolved further, That a copy of these resolutions be forwarded to our said Senators and Representatives and to the President of the Senate and the Speaker of the House of Representatives of the United States.

FLETCHER D. PROCTOR,
Speaker of House of Representatives.
MARTIN F. ALLEN,
President of the Senate.

STATE OF VERMONT,
Office of the Secretary of State:

I hereby certify that the foregoing is a true copy of a joint resolution relating to securing proper recognition of the service of Capt. Charles E. Clark adopted by the general assembly of the State of Vermont at its pending biennial session, as appears by the files and records of this office.

Witness my signature and the seal of this office, at Montpelier, this 16th day of November, 1900.

[SEAL.]

FRED A. HOWLAND,
Secretary of State.

Mr. BURROWS presented petitions of the Woman's Missionary Society of the Jefferson Avenue Church, of Detroit; the Presbytery of Kalamazoo; the Westminster Woman's Association, of Detroit; the Woman's Missionary Society of the First Presbyterian Church of Ithica; of A. B. Barnes and 73 other citizens of Richland; the Young Ladies' Missionary Society of Palmyra; the congregation of the First Presbyterian Church of Bay City; the Woman's Missionary Society of the Memorial Church, of Detroit; of Fred E. Ash and 59 other citizens of Adrian; the Woman's Missionary Society of the Presbyterian Church of Plainwell; the Woman's Christian Temperance Union of Plainwell; the Woman's Missionary Society of the First Presbyterian Church of Marquette; of G. A. Jackson and 97 other citizens of Hillsdale; the Ladies' Aid Society of the Second Avenue Presbyterian Church, of Detroit; the Ladies' Missionary Society of the First Presbyterian Church of Harbor Springs; of 29 citizens of Detroit; the congregation of the Presbyterian Church of Adrian; the congregation of the First Presbyterian Church of Jackson; the Foreign Missionary Society of the First Presbyterian Church of Saginaw; the Home Missionary Society of the First Presbyterian Church of Saginaw; the Woman's Missionary Society of the Second Memorial Church, of Detroit; the Woman's Christian Temperance Union of Laingsburg; of 20 citizens of Benzonia, and of the Woman's Home and Foreign Mission Society of the Presbyterian Church of Decatur, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woodland Creamery Company; of H. E. Miller; of the Leonidas Locust Farm Creamery, of Adrian; the Cherry Creek Stock Farm, of Hilliards; of Orrin J. Stone, of Kalamazoo; of W. G. Hoffman, of Ida; of J. W. Henley, of Adrian; of V. A. Shubkland, of Sandlake; of A. J. Uphams, of Ida; of A. Hardy, of Burnips Corners; of John Munn, of Salem; of Hershel S. Munn, of Salem; of W. E. Locklin, of Leslie; of E. C. Cowell, of Unionville; of the Martin Creamery Company, of Martin; of J. O. Pengra, of Unionville; of S. D. Towers, of Kalamazoo; of Samuel T. Meredith, of Edwardsburg; of B. A. Joy, of Albion; of D. J. Johnson, of Augusta; of Peter Nelson, of Bark River; of W. J. Miller, of Leonidas; of B. S. Hally, of Woodland,

and of D. C. Dean, of Adrian, all in the State of Michigan, praying for the enactment of legislation relative to the sale and manufacture of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. SCOTT presented 90 petitions of citizens of West Virginia, praying for the enactment of legislation relative to the sale and manufacture of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. PERKINS presented a petition of the congregation of the United Presbyterian Church of Easton, Cal., praying for the enactment of legislation to prohibit the sale of intoxicating liquors on premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the board of directors of the Manufacturers and Producers' Association of California, praying for the construction of the Nicaraguan Canal; which was referred to the Committee on Inter-oceanic Canals.

He also presented a petition of the Chamber of Commerce of Riverside, Cal., praying for the enactment of legislation relative to the reclamation of arid land in the United States; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the board of directors of the Manufacturers and Producers' Association of California, praying for the enactment of legislation to provide for the preservation, reclamation, and settlement of the public domain; which was referred to the Committee on Public Lands.

He also presented a petition of the Chamber of Commerce of San Diego, Cal., praying that an increased appropriation be made for the maintenance of the hydrographic branch of the United States Geological Survey; which was referred to the Committee on Appropriations.

He also presented petitions of the Christian Endeavor Society, the Epworth League, the Woman's Christian Temperance Union, the congregations of the Methodist Episcopal Church and the Congregational Church, all of Oroville, and a petition of the congregation of the Methodist Episcopal Church of Linden, all in the State of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, or canteen, or transport, or upon any premises used for military purposes by the United States; which were referred to the Committee on Military Affairs.

Mr. HALE presented petitions of the Woman's Christian Temperance Union of Winthrop, the Young Woman's Christian Temperance Union of Bangor, the Woman's Christian Temperance Union of Bangor, and of V. L. Coffin and sundry other citizens of Harrington, all in the State of Maine, praying for an adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a petition of the Fletcher National Bank; the Indiana National Bank; the Merchants' National Bank; the Capital National Bank; the State Bank of Indiana; the Indiana Trust Company; the Union Trust Company; the Marion Trust Company, and the Central Trust Company, all of Indianapolis, in the State of Indiana, praying for the repeal of the stamp tax on checks, drafts, notes, deeds, etc.; which was referred to the Committee on Finance.

He also presented a petition of the National Coopers' Association, praying for the enactment of legislation to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Fairfield, Me., praying for the enactment of legislation to prohibit the importation of intoxicating liquors into the Philippine Islands, etc.; which was referred to the Committee on the Philippines.

He also presented fifteen petitions of citizens of Maine, praying for the enactment of legislation relative to the sale and manufacture of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of Jedediah J. Varney, of Unity, and 9 other citizens; of 17 citizens of Windham, of the Woman's Christian Temperance Union of Bangor, the Woman's Christian Temperance Union of Winthrop, the Young Woman's Christian Temperance Union of Bangor, of the congregations of the Church of Friends of the Third Congressional district, and of the Church of Friends of Vassalboro, all in the State of Maine, praying for an adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church of Ellicott City, Md., praying for the enactment of legislation to prohibit the importation of intoxicating liquors into countries inhabited by native races; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Publishers' Press Association of New York, praying that they be granted the privileges of the floor of the Senate; which was referred to the Committee on Rules.

Mr. FRYE. I present resolutions adopted by the National Farmers' Congress, praying that liberal appropriations be made for river and harbor improvements; that the mail service to Brazil be under the American flag; for the construction of an interoceanic canal, and for governmental aid to our merchant marine, etc., and remonstrating against the leasing of public lands. The petitioners request that the resolutions be printed as a document. Is there objection to the request? The Chair hears none, and it is so ordered.

SUPREME COURT FOR THE PHILIPPINE ISLANDS.

Mr. STEWART. I introduce a bill to create a supreme court for the Philippine Islands, and I beg leave to call the attention of the Judiciary Committee to the importance of legislation of that character.

The bill provides for a supreme court, consisting of five judges with an annual salary of \$20,000 each.

Mr. HOAR. I suppose that in the usage of the Senate, under the arrangement at any rate made last winter, it is not expected that the Judiciary Committee shall have jurisdiction, at the beginning, of this subject. Indeed, it is not the practice of the Senate to send a bill relating solely to the Territorial courts to the Judiciary Committee, but such measures go to the Committee on Territories. I think therefore this bill should go to the Committee on the Philippines.

The bill (S. 4962) to create a supreme court for the Philippine Islands was read twice by its title.

Mr. STEWART. I wish to make one further remark in regard to the bill. Our Territorial system of judges has been a success in the agricultural parts of the country, but it has been a failure in the mining regions where great interests were involved. The supreme court, as provided for in this bill, would have appellate jurisdiction in all matters and the appointment of all inferior judges. This matter must be taken hold of earnestly or we will have on a large scale a repetition of what has occurred in many of our mining States where the judiciary system has been utterly inadequate for a mining community or a community far off where there are great interests involved.

It is idle to send a man out on a salary of \$3,000 a year where he has to spend \$10,000 to live and where millions are involved in cases that come before him. The bill makes provision for a very urgent matter—I believe it is the most important matter connected with governing our newly acquired territory. To do justice there you must have the appointing power on the ground, and you must give sufficient salary to take judges from the top of the bar if you expect success.

I am not particular as to what committee it goes, but it seems to me that the Judiciary Committee should have charge of the bill.

Mr. LODGE. As the bill relates to the Philippine Islands, I suggest that it go to that committee.

Mr. STEWART. Very well; let it go there.

The PRESIDENT pro tempore. The bill will be referred to the Committee on the Philippines.

BILLS INTRODUCED.

Mr. WOLCOTT introduced a bill (S. 4963) for the relief of Frank W. Howbert; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4964) granting an increase of pension to Edward Conrey;

A bill (S. 4965) granting a pension to Thomas Robbins;

A bill (S. 4966) granting a pension to Jose Pablo Garcia;

A bill (S. 4967) granting an increase of pension to Solomon D. Taylor;

A bill (S. 4968) granting an increase of pension to John Milburn;

A bill (S. 4969) granting a pension to Edgar L. Beckwith;

A bill (S. 4970) granting an increase of pension to Stanley M. Casper;

A bill (S. 4971) granting an increase of pension to George H. Smith (with an accompanying paper);

A bill (S. 4972) granting an increase of pension to Edward D. Lashley;

A bill (S. 4973) granting an increase of pension to Dallas W. Spencer (with an accompanying paper);

A bill (S. 4974) granting a pension to Mary Pollock;

A bill (S. 4975) granting a pension to F. J. Landis (with accompanying papers);

A bill (S. 4976) granting an increase of pension to Charles W. Brown; and

A bill (S. 4977) granting an increase of pension to Charles W. Scherzer.

Mr. SCOTT introduced a bill (S. 4978) for the relief of Richard Emmons and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4979) for the relief of the estate of Daniel Hefebower, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4980) to authorize the issuance of a patent to James Seldon Cowdon upon the payment of certain fees; which was read twice by its title, and referred to the Committee on Patents.

Mr. McCUMBER introduced a bill (S. 4981) to repeal the bankrupt law; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HAWLEY introduced a bill (S. 4982) for the reorganization of the Army of the United States, and for other purposes; which was read twice by its title.

Mr. HAWLEY. To accompany the bill I present an explanatory letter from the Secretary of War, which I move be printed, and that it be referred, with the bill, to the Committee on Military Affairs.

The motion was agreed to.

Mr. HAWLEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4983) granting a pension to Louisa A. Crosby;

A bill (S. 4984) granting an increase of pension to Joseph H. Barnum; and

A bill (S. 4985) granting an increase of pension to Dr. George C. Jarvis.

Mr. HALE introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, which were ordered to be printed, referred to the Committee on Naval Affairs:

A bill (S. 4986) relating to the examination for promotion of warrant officers in the Navy;

A bill (S. 4987) authorizing the President to reclassify vessels of the Navy, and to formulate rules governing assignments to command; and

A bill (S. 4988) to amend an act entitled "An act to amend section thirty-seven hundred and nineteen of the Revised Statutes, relative to guaranties on proposals for naval supplies."

Mr. FAIRBANKS introduced a bill (S. 4989) to enable the people of Oklahoma to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to said State; which was read twice by its title, and referred to the Committee on Territories.

Mr. PLATT of New York introduced a bill (S. 4990) for the relief of James Chieves; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 4991) for the relief of William C. Bragg; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4992) for the relief of the estate of George W. Drake, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MCENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4993) for the relief of the estates of Mrs. Amy Anderson, deceased, Robert K. Anderson, deceased, and Adeliza Pickett Quays, deceased;

A bill (S. 4994) for the relief of the estate of Henry Bauman, deceased;

A bill (S. 4995) for the relief of Evelyn Clark;

A bill (S. 4996) for the relief of the estate of George W. Dyson, deceased;

A bill (S. 4997) for the relief of Victorie C. Avet and of the estate of Vincent Avet;

A bill (S. 4998) for the relief of Mrs. E. H. Briant; and

A bill (S. 4999) for the relief of James A. Verret, administrator of Adolphe Verret, deceased.

Mr. LINDSAY introduced a bill (S. 5000) granting an increase of pension to Etta Scott Mitchell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5001) for the relief of Mrs. M. H. Coles;

A bill (S. 5002) for the relief of the estates of Robert Bradley and Mary C. Bradley, deceased;

A bill (S. 5003) for the relief of the estate of James A. Ford, deceased; and

A bill (S. 5004) for the relief of the estate of R. T. Brown, deceased.

Mr. KENNEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5005) granting an increase of pension to Frederick Vogel;

A bill (S. 5006) granting an increase of pension to John T. Comegys;

A bill (S. 5007) granting an increase of pension to George N. Tarburton;

A bill (S. 5008) granting a pension to David Pollock;

A bill (S. 5009) granting an increase of pension to Cornelius Ridgway; and

A bill (S. 5010) granting a pension to Thomas E. Clark.

Mr. KENNEY introduced a bill (S. 5011) to remove the charge of desertion from the military record of John W. Cheesman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced a bill (S. 5012) to establish a national military park at Valley Forge, Pa.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5013) creating the office of superintendent and inspector of national cemeteries under the authority and control of the United States, and providing for the same; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5014) to authorize the Fourth Pool Connecting Railroad Company to construct and maintain a bridge across the Monongahela River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5015) granting a pension to Betsey L. Woodman;

A bill (S. 5016) granting an increase of pension to Francis H. Buffum; and

A bill (S. 5017) granting a pension to George H. Shapley.

Mr. SEWELL introduced a bill (S. 5018) to incorporate the National Army Relief Society; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLAY introduced a bill (S. 5019) granting an increase of pension to Julia Crenshaw; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5020) to admit free of duty articles controlled by a trust; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 5021) to provide for refunding the tax laid and collected on raw cotton in the event that the Supreme Court holds the laws under which the same was collected to have been unconstitutional; which was read twice by its title, and referred to the Committee on Finance.

Mr. LODGE introduced a bill (S. 5022) to provide for the establishment of a port of delivery at Fall River, Mass.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 5023) to provide for the establishment of a port of delivery at New Bedford, Mass.; which was read twice by its title, and referred to the Committee on Commerce.

REPORT ON REINDEER IN ALASKA.

Mr. TELLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to transmit to the Senate the report of Dr. Sheldon Jackson upon "The introduction of domestic reindeer into the district of Alaska," for 1900.

COMMITTEE SERVICE.

On motion of Mr. ALDRICH, it was

Ordered, That Mr. DILLINGHAM be appointed to fill vacancies on the following committees: To Examine the Several Branches of the Civil Service, Engrossed Bills, Territories, Transportation Routes to the Seaboard, Additional Accommodations for the Library of Congress (select), and Indian Depredations; and

That Mr. DOLLIVER be appointed to fill vacancies on the following committees: Pacific Railroads, Agriculture and Forestry, Education and Labor, Interstate Commerce, Post-Offices and Post-Roads, and Improvement of the Mississippi River and its Tributaries.

ASSISTANT CLERK TO COMMITTEE ON PRINTING.

Mr. PLATT of New York submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Printing be, and it hereby is, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate, at the rate of \$1,440 per annum, until otherwise provided for by law.

CUBAN POSTAL SERVICE.

Mr. PETTIGREW. I offer a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Postmaster-General be, and he is hereby, directed to send to the Senate all the information in his possession in relation to frauds in the postal service of Cuba.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PLATT of Connecticut. Let it go over, Mr. President.

The PRESIDENT pro tempore. The resolution lies over under objection.

MESSENGER FOR COMMITTEE.

Mr. BURROWS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to appoint a messenger for the Committee on Privileges and Elections, whose services shall be devoted exclusively to the business of said committee, and that the messenger so appointed shall be selected by said committee, and paid from the contingent fund of the Senate at the rate of \$1,440 per annum until otherwise provided by law.

AID TO ASYLUMS FOR THE BLIND.

The PRESIDENT pro tempore. If there be no further concurrent or other resolutions, the Calendar under Rule VIII is in order. The Secretary will report the first case on the Calendar.

The bill (S. 706) granting to the State of Montana 50,000 acres of land to aid in the establishment and maintenance of an asylum for the blind was announced as first in order on the Calendar; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. Is there a report with the bill?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Chair is informed that no written report has been made.

Mr. COCKRELL. I should like to have the Senator from Montana explain the effect of the bill.

Mr. CARTER. Mr. President, the bill merely provides for what, I think, is provided in other cases, but not in this particular enabling act—the donation of public lands to establish and maintain a school for the blind. There was a provision made for the deaf and dumb, but not for the blind in our State. We are maintaining such a school, and it seems but proper that this indemnity or grant should be made in order to assist in maintaining the school.

The General Government is somewhat interested in the school, because the local school maintained by the State has been burdened with the care of blind from the Indian reservations, for whom no provision of law has been made and for which no compensation has been allowed. It is but an auxiliary to the maintenance of this school, and I think it is a just appropriation.

Mr. PETTIGREW. The same enabling act applies to South Dakota. The State of South Dakota has recently built a school for the blind. I therefore move to insert the words "and South Dakota" after the word "Montana" in the bill.

Mr. PLATT of Connecticut. Let the bill be read, so that we may know what it is.

Mr. WOLCOTT. I desire also to add an amendment. It seems there was an omission in the enabling act, and there was no grant of public lands for institutions for the blind. At the proper time I shall want to add "and the State of Colorado."

The PRESIDING OFFICER. The amendment proposed by the Senator from South Dakota will be read.

The SECRETARY. It is proposed to amend by adding at the end of line 4, after the word "Montana," the words "and South Dakota."

Mr. WOLCOTT. And after the words "South Dakota" add "and Colorado."

The PRESIDING OFFICER. The Senator from Colorado moves to amend by adding what will be read.

Mr. PLATT of Connecticut. And then you will provide for 50,000 acres each?

Mr. WOLCOTT. Yes.

The SECRETARY. After the amendment it is proposed to add the words "and Colorado," so that the bill will read as follows:

Be it enacted, etc., That there be, and is hereby, granted 50,000 acres of the unappropriated public lands within the State of Montana, South Dakota, and Colorado unto said State, to be selected by the proper authorities thereof, to aid in the establishment and maintenance of an institution for the blind, which institution may be established and maintained separately or in conjunction with the asylum for the care and maintenance of the deaf and dumb.

Mr. SHOUP. Mr. President—

The PRESIDING OFFICER. The Chair will suggest that the word "State" will be changed by consent to the plural, provided the amendments prevail. The question is on agreeing to the amendment to the amendment.

Mr. ALLISON. I would be glad to have read the sections of the enabling act that apply to this matter.

Mr. ALDRICH. We had better get all the States in first.

Mr. ALLISON. Very well; later on let it be read.

The PRESIDING OFFICER. The Senator from Idaho [Mr. SHOUP] is recognized.

Mr. SHOUP. I move that Idaho be also added to the States named.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Idaho that no further amendment can be received at the present time. The question is on the amendment of the Senator from Colorado [Mr. WOLCOTT] to the amendment of the Senator from South Dakota [Mr. PETTIGREW], inserting the words "and Colorado."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is upon the amendment of the Senator from South Dakota as amended.

The amendment as amended was agreed to.

Mr. PETTIGREW. I desire to have the bill amended so that 50,000 acres will be donated to each institution. The bill as it now reads carries only 50,000 acres for one institution.

The PRESIDING OFFICER. Will the Senator from South Dakota kindly prepare his amendment and send it to the desk?

Mr. PETTIGREW. I think the clerks can put it in in proper form. "Fifty thousand acres each for the following States," I think, would be the proper wording.

Mr. ALDRICH. This is a complicated sort of a bill, and I suggest that it had better be recommitted to the committee to prepare the amendments.

The PRESIDING OFFICER. Does the Senator from Rhode Island make that motion?

Mr. ALDRICH. I do.

The PRESIDING OFFICER. The Senator from Rhode Island moves that the bill be recommitted to the Committee on Public Lands.

The motion was agreed to.

DEPOSITIONS BEFORE NAVAL COURTS.

Mr. HALE. There are one or two bills that are important for the operations of the Navy Department to which there is no objection and which I wish to have passed. The first one is Order of Business 533, Senate bill 1358. I ask to have taken up the bill (S. 1358) to authorize the use of depositions before naval courts in certain cases. There are two bills on the Calendar that are necessary to the taking of testimony in the Navy Department.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent for the present consideration of a bill which will be read for the information of the Senate.

Mr. HALE. The bill will speak for itself as it is read.

The Secretary read the bill (S. 1358) to authorize the use of depositions before naval courts in certain cases, and by unanimous consent the Senate as in Committee of the Whole proceeded to its consideration. It provides that the depositions of witnesses stationed or residing at such a distance from the place at which a naval court is ordered to sit, or who are under orders and about to go to such a distance that it is not practicable to secure their personal attendance without incurring great expense or serious loss of time, if taken on reasonable notice to the opposite party and duly authenticated, may be put in evidence before such court in cases not capital.

The bill was reported to the Senate without amendment.

Mr. VEST. Let the bill be again read.

The PRESIDING OFFICER. The bill will be again read.

The Secretary read the bill.

Mr. VEST. Mr. President, do I understand that bill to provide that in anything less than a capital case a deposition can be read without the consent of the accused?

Mr. HALE. No; it is just the reverse.

Mr. VEST. Then I did not catch the meaning of the bill. It says "either party."

Mr. HALE. It excepts capital cases.

Mr. VEST. I understand; but how does the Senator dispose of that clause of the Constitution which provides that in all criminal cases the accused shall be entitled to be confronted with the witnesses? Suppose a man is accused of robbery or any of the felonies below murder, can you force him to submit to evidence taken by deposition without his consent? It seems to me that the bill is clearly unconstitutional.

Mr. HALE. The committee considered that, and did not believe that courts-martial came under the provision of the Constitution. Nearly all courts-martial are for the trial of small offenses, involving no heavy punishment. In many cases it is impossible, except at great expense and delay, to examine witnesses; and the committee did not consider, when capital cases are excepted, that any harm would result. Of course, as the Senator from Connecticut [Mr. PLATT] suggests to me, wherever the provision of the Constitution applies, the accused has the right to trial by jury. These, of course, are not in that class of cases. I have no idea that any harm can come from the bill.

Mr. MORGAN. If the committee would insert an amendment that depositions taken at the instance of the accused might be read in evidence, that would be all right, but certainly in every criminal proceeding the accused has the right to be confronted by the witnesses. Here is a man locked up in prison; the case comes to trial before a court-martial; he can not get out on bail to go and attend the examination, to examine or cross-examine the witnesses upon such matters as might arise in the course of the trial. The constitutional provision is necessary in every one of the judicial tribunals of the United States, and more eminently so in courts-martial. Courts-martial should know that they are subject to the provisions of the Constitution of the United States, and that those provisions can not be violated. I suggest to the Senator from Maine that he insert the words "at the instance of the accused."

Mr. HALE. There was so much noise in the Chamber that I could not hear the Senator.

Mr. MORGAN. I suggest to the Senator to put in the words "depositions taken at the instance of the accused." That, I think, will dispel the objection.

The PRESIDING OFFICER. Senators will please take their seats and visitors to the Senate Chamber will preserve order.

Mr. HALE. Let the bill be read as proposed to be amended, so that we can see how it would stand.

The Secretary read as follows:

Be it enacted, etc., That the depositions, taken at the instance of the accused, of witnesses stationed or residing at such a distance from the place at which a naval court is ordered to sit, or who are under orders and about to go to such a distance that it is not practicable to secure their personal attendance without incurring great expense or serious loss of time, if taken on reasonable notice to the opposite party and duly authenticated, may be put in evidence before such court in cases not capital.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Alabama [Mr. MORGAN].

The amendment was agreed to.

Mr. TELLER. I should like to have the bill read. I have not heard a word the Senator from Alabama said. It was utterly impossible to hear a word. It was not his fault, but the fault of the Senate. I have tried to listen to the reading and discussion of this bill, but I do not know any more about it than if it had not been read, though I sit within a few feet of the Senator who has it in charge. I do not know how important this bill may be.

Mr. COCKRELL. Let us have order, Mr. President, and let us stop business until we do have it.

Mr. TELLER. It seems to me that this is an important bill, and I think we had better suspend operations until order is restored and then have the bill read. I heard something said about trial by jury in a military court. If there is any such opportunity allowed to the accused, I should like to know exactly how it comes, and what provision is made for it. I have been under the impression that in a military court there was not much opportunity for a man to defend himself, and that the right of trial by jury was not accorded to him under those circumstances.

Mr. HALE. Of course not, and the statement I made was to that effect. This is a matter in which the accused certainly ought to have an opportunity, on giving notice to the other side, to take depositions to be used in court-martial cases. Under the amendment suggested by the Senator from Alabama it only applies to the side of the accused, and no harm can come from it. As I said, in many of these cases the charges are what we may call slight; the punishment is slight; and the party accused ought to have the opportunity of giving notice to the Government and taking depositions, which can be done at very little expense, where it would be impossible for him to attend when he is a thousand miles away.

Mr. TELLER. I am not going to object to the bill. I think the accused ought to have that right, but I was in absolute ignorance of whether this was a provision for the benefit of the accused, or whether it was in the interest of the Government and against the accused. If it is an attempt to give greater protection to the individual charged with an offense, I am in favor of it.

The PRESIDING OFFICER. The Chair will once more request that the Senate shall be in order. Senators will please resume their seats and visitors to the Senate Chamber will observe the rules of the Senate. The Chair will call the attention of the Sergeant-at-Arms to the necessity of enforcing the rule. [A pause.] The Senator from Colorado asks that the bill be again read.

Mr. COCKRELL. Let us have the rule enforced, Mr. President.

Mr. TELLER. I should like to have the bill read. It has not been read in the hearing of the Senate.

The PRESIDING OFFICER. The Chair has so ordered.

Mr. COCKRELL. I insist before the bill is read that we shall have order. We have plenty of time. The whole session is before us now, and let us start out with good order.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary again read the bill as amended.

Mr. HOAR. Who is to determine under the bill what seems to be an essential preliminary to the validity of a deposition whether the evidence can be had and whether the party can not attend? It seems to me that there should be somewhere lodged the power to decide that question. The court-martial, when a deposition is offered, or the magistrate who takes the deposition, or somebody should determine that question, because the deposition is valid in one case and in the other it is not.

Mr. HALE. Of course, we can make no iron rule that shall settle that. I can not conceive of any language that is better than that employed in the bill. It is only to be done in such cases. I suppose if the privilege is abused, or if it was sought to give the deposition of a witness who was near by and whom the court knew could be had, the court would not receive the deposition, but would send for the witness. For the present I can not think of any description that would settle that any better than it is now. The court itself must decide whether it will receive the deposition under the circumstances, as all courts do.

Mr. HOAR. Suppose there should be added these words, which will carry out the idea suggested by the Senator:

Such deposition to be admissible in case the tribunal to whom it is offered find that the aforesaid cause for taking the same exist.

Mr. HALE. That would put it in a form which would undoubtedly be the practice.

Mr. HOAR. I dare say it might be, but I think it better to have the words inserted.

Mr. HALE. There is no objection to that.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts [Mr. HOAR] will be stated.

The SECRETARY. At the end of the bill it is proposed to add:

Such deposition to be admissible in case the tribunal to whom it is offered find that the aforesaid cause for taking the same exist.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. Before the next bill in order on the Calendar will be stated, the Chair would say to the Senator from Maine that he understood the Senator to state that he had another bill which he desired to be acted upon by the Senate.

Mr. HALE. I have sent for the other bill, but I want to examine it a little further, and will not call it up now.

The PRESIDING OFFICER. The Calendar will be proceeded with.

ABRAM G. HOYT.

The bill (S. 1981) for the relief of Abram G. Hoyt was announced as next in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. Let the report be read in that case, Mr. President.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. WARREN February 5, 1900, as follows:

The Committee on Claims, to whom was referred the bill (S. 1981) for the relief of Abram G. Hoyt, having had the same under consideration, submit the following report thereon:

In the Fifty-first Congress H. R. 3000, in similar language, was favorably reported to the House from the Committee on Claims by House Report No. 1658, which your committee adopt as their report and recommend the passage of the bill.

The report is as follows:

[House Report No. 1658, Fifty-first Congress, first session.]

The Committee on Claims, to whom was referred the bill (H. R. 3000) for the relief of Abram G. Hoyt, having carefully considered the same, beg leave to submit the following report:

Abram G. Hoyt, of Wilkesbarre, Pa., was, during the year 1876, designated depository of the United States in the city of Santa Fe, Territory of New Mexico. One A. P. Gates was employed in the office of the designated depository as a clerk, having the care and charge of the books and papers pertaining to the duties of the said office. He came to Mr. Hoyt highly recommended by gentlemen of character and high standing.

Between February 23, 1876, and March 17, 1876, while engaged in making a thorough examination of the books and papers of the designated depository, Mr. Hoyt discovered that Gates had committed an embezzlement of \$2,943.02; that the books had been altered, and that the balances in many instances were false ones. Previous to the date of this examination Mr. Hoyt was ignorant of the defalcation of Gates. Upon verifying the fact he at once replaced the entire amount of the embezzlement.

Gates was first employed in the said office on or about the 1st day of August, 1874, and so remained as a clerk up to the 23d day of February, 1876, when his employment ceased.

In December, 1874, he stole a check after it had been paid by Mr. Hoyt, and previous to its cancellation. The check was signed by Capt. A. J. McGonigle, assistant quartermaster, for the sum of \$188.98. Gates negotiated the check after it had been paid, and had it paid a second time by said Hoyt; and thereafter, from December, 1874, until February 23, 1876, he at divers times stole and negotiated certain checks in the same manner, and Mr. Hoyt paid them all a second time.

Through the efforts of Mr. Hoyt, Gates was arrested, tried, and convicted of the theft, and sentenced to two years' imprisonment.

The committee recommend the passage of the bill.

Mr. ALDRICH. I should like to ask some member of the committee—I do not see the Senator who reported the bill in his seat—whether they think it desirable to establish the precedent that a designated depository shall be reimbursed for money stolen by trusted employees? I have in mind the case of the First National Bank of New York, which lost \$790,000 through a trusted employee. Is the Government of the United States to be held responsible for the repayment of that money? In the absence of the chairman of the committee reporting the bill, I think it had better go over unless some Senator can explain it.

Mr. HALE. Let the bill go over.

The PRESIDING OFFICER. Objection being made, the bill will go over.

PROTESTANT EPISCOPAL CHURCH OF THE DIOCESE OF WASHINGTON.

The bill (S. 2399) to amend section 2 of an act entitled "An act to incorporate the convention of the Protestant Episcopal Church of the Diocese of Washington" was considered as in Committee of the Whole.

Mr. COCKRELL. Is there a report accompanying the bill?

The PRESIDING OFFICER. There is.

Mr. COCKRELL. Let the report be read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. BAKER February 5, 1900, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 2399) to amend section 2 of an act entitled "An act to incorporate the convention of the Protestant Episcopal Church of the diocese of Washington," make a favorable report thereon. The object of the bill is to remove the ambiguity in the original act of incorporation, so as to make it certain that the corporation referred to shall have power to take contributions and bequests for the purpose of the episcopal residence and such educational institutions as may be founded by the convention.

The favorable report of the Commissioners of the District of Columbia is given below.

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 25, 1900.

DEAR SIR: The Commissioners of the District of Columbia recommend favorable action upon Senate bill 2399, "To amend section 2 of an act entitled 'An act to incorporate the convention of the Protestant Episcopal Church of the diocese of Washington,'" which was referred to them at your instance for their examination and report.

The object of this bill is to remove any doubt there may be as to the right of the body corporate under said act to take and hold real estate, under the words "grants and devises," for the purpose of an episcopal residence, diocesan house, church, colleges, church or parish schools, etc. There has been some question whether under section 2 of the act of March 16, 1898, the corporation may take real estate by deed or will.

Very respectfully,

JOHN B. WIGHT, President.

Senator JAMES McMILLAN,

Chairman Committee on the District of Columbia,
United States Senate.

Mr. COCKRELL. There is a question under the language of this bill as to the quantity of real estate that may be held. I think it is entirely too indefinite. I sent for the original law of March 16, 1896, which this bill proposes to amend so as to give greater power to the Protestant Episcopal Church of the diocese of Washington to hold real estate according to the report which has just been read. The question now is whether under this new grant of power they could not hold real estate indefinitely, and I should like to have a limitation on that power.

I call the attention of the Senator reporting the bill to the exact language as it occurs here:

That the said corporation shall have full power and authority to take and hold subscriptions, contributions, donations, grants, devises, or bequests, in money, real estate, or otherwise, which heretofore have been made or which may hereafter be made for the purpose of an episcopal residence, diocesan house, church colleges, church or parish schools, churches, or mission chapels, and for the purpose of creating a permanent fund or endowment for the support of the episcopate in said diocese.

The language of the bill would extend the right to hold real estate to any and every purpose. They could hold land for endowment purposes. I move to amend by adding at the end of the bill the words:

And provided further, That under this act no real estate shall be held for any other purpose than an episcopal residence, diocesan house, church colleges, church or parish schools, churches, and mission chapels.

Mr. MCCOMAS. I think if the Senator will add the words "or for similar uses" it will answer his purpose.

Mr. COCKRELL. I do not know about "similar uses." You might extend that indefinitely.

Mr. MCCOMAS. No; it must be of like kind.

Mr. COCKRELL. I do not believe in granting to any corporation the power to hold indefinite amounts of real estate.

Mr. MCCOMAS. The object of the bill is not to do other than what the Senator desires.

Mr. COCKRELL. I understand that.

Mr. MCCOMAS. But if you begin to specify you may exclude unwittingly, and if you add the words "or for like uses" you will serve your purpose and there will be no objection to the amendment.

Mr. COCKRELL. I do not see that there are "like uses;" and if that language is employed, who is to determine what those "like uses" are and all that? What other uses can they have for the land except for an episcopal residence? That is all that is named here. Then, there is a drag net at the end of the bill. I want to get it right.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri [Mr. COCKRELL] will be stated.

The SECRETARY. At the end of the bill it is proposed to add the following:

And provided further, That under this act no real estate shall be held for any other purpose than an episcopal residence, diocesan house, church colleges, church or parish schools, churches, and mission chapels.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri.

Mr. MCCOMAS. Before the question is put, I would suggest to the Senator to use words giving a little more latitude, such as "for the like purposes," which he really has in mind.

Mr. COCKRELL. What would be a "like purpose?" Let us see. We understand the English language just about as well as the ordinary average person, and let us specify what that like purpose is.

Mr. PLATT of Connecticut. An orphan asylum, for instance. Mr. MCOMAS. Yes; an orphan asylum might be one.

Mr. COCKRELL. I am willing to put that in, but I do not want the bill to so read that the object for which it is designed can be avoided.

Mr. MCOMAS. I think perhaps the language in connection with the bill may be broad enough.

Mr. COCKRELL. I think it is ample.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

N. M. BROOKS.

Mr. LODGE. I ask unanimous consent to take from the Calendar two small bills reported from the Committee on Foreign Relations, which are merely formal in character and will excite no debate. The first one is the bill (S. 4284) to authorize Capt. N. M. Brooks, Superintendent of Foreign Mails, Post-Office Department, to accept a decoration tendered to him by the Emperor of Germany.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HON. GEORGE D. MEIKLEJOHN.

Mr. LODGE. The next measure for which I ask present consideration is the bill (S. 4439) to authorize Hon. George D. Meiklejohn, Assistant Secretary of War, to accept a decoration tendered to him by the Government of Sweden and Norway.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IRA J. PAXTON.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 4890) to correct the military record of Ira J. Paxton.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment to insert at the end of the bill the words "on account of being under 18 years of age," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and hereby is, authorized and directed to remove the charge of desertion from the military record of Ira J. Paxton, late a private in Company I, Eighth Regiment Missouri State Militia, and to issue to him a discharge as of date August 2, 1862, on account of being under 18 years of age.

The amendment was agreed to.

Mr. ALDRICH. Is there a report in the case?

The PRESIDING OFFICER. There is.

Mr. ALDRICH. I ask that the report may be read.

The PRESIDING OFFICER. The report will be read.

The report submitted by Mr. COCKRELL May 31, 1900, was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 4890) to correct the military record of Ira J. Paxton, have duly considered the same and submit the following report:

This bill directs the Secretary of War to remove the charge of desertion from the military record of Ira J. Paxton and issue to him an honorable discharge as of date August 2, 1862.

Your committee hereto attach the letter from the War Department as part of this report. The facts, as shown by the petition of the claimant, verified by his affidavit and by the affidavits of his father, brother, and several citizens and comrades, are that claimant was born December 12, 1845, and on March 13, 1862, being 16 years and 9 months old, enlisted in Company I, Eighth Regiment Missouri State Militia, without the permission or consent of his father and against his wishes and without his knowledge.

The company afterwards camped near his father's residence. His father visited the camp and begged his minor son to return home to aid him and his mother to care for five small children at home. His father's importunities continued, adding that his three older brothers were defending the flag and country, and finally the son yielded to the demands of his father and returned home and remained there during the war openly, and known to the company officers and soldiers, who were at times camped in the neighborhood, and visited his father's house and saw and talked with him and never asked for his return and never made any complaints to him for his absence.

Under the law at the time there was no authority to enlist or accept him of his then age into the service, and such enlistment was in violation of the law and orders.

His father could have had him discharged on writ of habeas corpus beyond any doubt, and in such a case the War Department has authority to remove such charge and issue discharge. It is perfectly manifest that this soldier did not intend to desert the flag or the cause of his country, and did not believe he was committing any offense, and did believe that, in obedience to his father's demands, he was doing right in staying at home to aid his parents and his brothers and sisters, only small children. He did not know that he was charged with desertion until after the close of the war.

The War Department has no authority to remove such charge and the case is exceptional.

Your committee believe that this stain upon the record of this soldier and citizen should be removed, and a discharge granted to him as of date August 2, 1862, and report the bill back to the Senate and recommend its passage with an amendment by adding "on account of being under the age of 18 years."

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, March 30, 1890.

SIR: In reply to your letter of yesterday, received to-day, in which you request to be furnished with the complete military and medical record of Ira J. Paxton, as of Company I, Eighth Missouri State Militia, together with such facts as the records show relative to the soldier's desertion, etc., I beg to inform you that the records show that Ira J. Paxton was enrolled March 13, 1862, at Linn Creek, Mo., as a private in Captain Reeder's company, Missouri State Militia, which eventually became Company I, Eighth Missouri State Militia Cavalry, and that he deserted at Warsaw, Mo., August 2, 1862, never thereafter returning to his command, which remained in the service until April 23, 1865. It does not appear that he was under medical treatment at any time during his service.

It is stated on the records that he was born in Hickory County, Mo.; was 18 years of age at the time of enlistment; by occupation, a farmer; 5 feet 3½ inches high; of fair complexion, and that he had hazel eyes and dark hair.

No record has been found of any application for removal of the charge of desertion, nor does it appear that the case has heretofore been under investigation.

It is proper to add that in the absence of an explanation of the circumstances under which this soldier left his command, and of his failure to return thereto, the Department is unable to determine whether the case is covered by the provisions of the act of Congress approved March 2, 1889, the law governing the subject of removal of charges of desertion.

Very respectfully,

JOHN TWEEDALE,
Acting Chief Record and Pension Office.

Hon. F. M. COCKRELL, United States Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLARA H. FULFORD.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 21) for the relief of Clara H. Fulford.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent for the present consideration of the bill which will be read for the information of the Senate.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PLATT of Connecticut. Is there a report?

Mr. PETTIGREW. There is a report.

Mr. PLATT of Connecticut. Is it a long report? If it is not long, I should like to hear it read.

The PRESIDING OFFICER. The report will be read.

Mr. PETTIGREW. I think I can state the facts. The report is quite long.

Mr. COCKRELL. It is a short report. Let it be read.

The report (submitted by Mr. TELLER June 2, 1900) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 21) for the relief of Clara H. Fulford, having considered the same, respectfully recommend that the bill shall pass.

Your committee further report that Congress passed an act which was approved January 20, 1897, and is as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, instructed to redeem, in favor of the heirs at law of D. Fulford, two bonds of the United States, consols of 1867, of the denomination of \$500, \$100, and known as five-twenties, said bonds having been destroyed by fire the 9th day of July, 1872, and to pay to the heirs at law of said D. Fulford the amount of said bonds, together with accrued interest from July 1, 1872, to the date of the maturity of said bonds.

"SEC. 2. That the said heirs of D. Fulford shall also execute and file with the Secretary of the Treasury a bond with sufficient sureties, to be approved by the Secretary of the Treasury, in the penalty of \$2,000, conditioned to save harmless the United States from loss or liability on account of said bonds or the interest accrued thereon: *Provided*, That as it appears from the records of the Treasury Department that there are now outstanding and unpaid a \$100 coupon bond, No. 83482, and two \$500 coupon bonds, Nos. 12792 and 34411, of the loan known as consols of 1867, of which the last coupon bears date of July 1, 1872, the Secretary of the Treasury is hereby authorized and directed to proceed against said bond of indemnity whenever said coupon bonds shall have been redeemed.

"Approved, January 20, 1897."

When the above bill was reported to the Senate by the Committee on Claims, the committee in its report said:

"It has been ascertained by your committee that D. Fulford, deceased, who is represented in this claim by his heirs, was a minister of the Methodist Church and a resident of Dekalb, N. Y., and was the owner of four Government bonds, one for \$500 and one for \$100 and two for \$50 each. On the 9th of July, 1872, these bonds were destroyed in a fire which consumed his residence. He was unable to describe them or give their numbers, as he had failed to procure a record thereof. He had received payment of the coupons due July 1, 1872. His understanding was that all the bonds destroyed by fire were of the class known as consols of 1867. The accompanying letter of the Secretary of the Treasury confirms this understanding as to the \$500 and \$100 bonds, but indicates an error regarding the character of the two \$50 bonds.

"Your committee has concluded upon the evidence that Mr. Fulford was the owner of the bonds described, and that the bonds were destroyed by fire as claimed. The Secretary of the Treasury answers in his communication, herewith submitted, that the outstanding \$100 bond may be one of Mr. Fulford's burned bonds, but says he has no way of determining which, if either, of the two outstanding \$500 bonds belonged to him. No process of investigation can bring the missing bonds any closer to identification than this. It is reasonable to presume that one of them was his property and that the \$100 unredeemed bond of the same class was also his.

"Your committee is satisfied that the entire claim of the heirs of D. Fulford is a just one; that the Government was the recipient from him of the face of these bonds; and that he should be compensated, though unable, through misfortune, to present the evidence of governmental indebtedness.

"The accompanying paper hereto attached is submitted as part of this report.

"TREASURY DEPARTMENT, OFFICE OF THE SECRETARY.

"Washington, D. C., January 25, 1896.

"SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, inclosing Senate bill for the relief of the heirs of D. Fulford, and requesting the opinion of the Department as to whether a bond of indemnity can be so framed as to protect the United States from loss should the bill become a law; and also desiring to know how many bonds are now outstanding and unpaid, known as consols of 1867, denominations of \$100 and \$500, of which the last coupon paid is dated July 1, 1872.

"In reply I have to inform you that Mr. Fulford made application to this Department for the payment of \$700 United States 5.20 per cent coupon bonds, known as consols of 1867, alleged to have been destroyed by fire July 9, 1872, viz: Two bonds of the denominations of \$50 each, one bond of \$100, and one bond of \$500. He was unable to give the numbers of the bonds, and his only means of identifying them was by the date of the last matured coupons detached and sold, which he said were dated July 1, 1872, he having collected the interest on the bonds to that date. An examination of the records of this Department shows that there are no \$50 coupon bonds outstanding of the consols of 1867 of which the last coupon paid was dated July 1, 1872; and of the denominations of \$100 and \$500 of said loan there are found to be outstanding one bond of \$100, No. 83482, and two of \$500, Nos. 12792 and 34411, of which the last coupon paid was dated July 1, 1872. It is evident, therefore, that the \$50 bonds alleged to have been destroyed do not belong to the loan of consols of 1867, and assuming that the \$100 bond referred to is one of the lost bonds, there is apparently no way of determining which, if either, of the two \$500 bonds was the property of Mr. Fulford.

"In view of these facts, and to further protect the Government against a second payment by reason of the passage of said bill, it is respectfully suggested that Senate bill be amended so as to cover the redemption of \$600 only of the amount claimed, and that a proviso be inserted therein to the following effect, viz: 'Provided, That as it appears from the records of the Treasury Department that there are now outstanding and unpaid a \$100 coupon bond, No. 83482, and two \$500 coupon bonds, Nos. 12792 and 34411, of the loan known as consols of 1867, of which the last coupon paid bears date of July 1, 1872, the Secretary of the Treasury is hereby authorized and directed to proceed against said bond of indemnity whenever said coupon bonds shall have been redeemed.'

"Very respectfully,

S. WILKE, Acting Secretary.

"Hon. R. F. PETTIGREW,
"United States Senate."

The two bonds of \$50 each provided for in this bill are the bonds referred to in the above report, and are as yet unpaid.

It is the opinion of your committee that a bond can be prepared by the Treasury Department so as to protect the interest of the Government, and that the two \$50 bonds should be paid.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. ALDRICH. I should like to ask the Senator from Colorado [Mr. TELLER] what evidence the committee had of the burning of those bonds. This is a pretty dangerous precedent to establish.

Mr. TELLER. So far as that is concerned, there was no doubt that bonds were burned. Of course it is a little uncertain whether these two bonds were, because the claimant was not quite prepared to describe them. These bonds have never come to the Department, and no claim for interest has been made since, and the Department itself believes those bonds were the bonds which were burned.

Mr. ALDRICH. A large number of bonds of different issues have never been paid by the Government. If hereafter persons, knowing the numbers of the bonds, should file claims, it would be a very unfortunate thing for the Government.

Mr. TELLER. There is no controversy but that this man lost certain fifty-dollar bonds. That is proved. I think it is clear enough that these were the bonds. We suppose they were. If it should turn out that there were other bonds and that these were not the bonds which were burned, the bond that the claimant is to give will be ample to protect the Government. It is a small matter, and has been before the committee two or three times. I hope the bill will be passed.

Mr. PETTUS. I should like to be advised by the Senator in charge of the bill why it is that the widow is entitled to this money and not the heirs of the deceased also?

Mr. TELLER. That is a point which I do not recall now without going over the case again. It was not large enough for me to carry in my mind a great while. But I have no doubt it is correct that the widow is entitled to the money, or the committee would not have so reported. Perhaps the Senator whose constituent this woman is may be able to tell about it.

Mr. PETTIGREW. The widow is about 75 years old, and without property. She has some children who are of age and abundantly able to take care of themselves, and therefore I drew the bill so as to give the money to her. I think she is the person who ought to have it.

Mr. PLATT of Connecticut. In the original bill, passed upon the application of the heirs of Mr. Fulford, no provision was made for the two fifty-dollar bonds. It is now claimed that those should be paid, and that point suggests an inquiry, namely: The letter of the Department of January 25, 1896, only says that the two bonds of the denomination of \$50 each do not belong to the loan of 1867, known as consols of 1867, and it further fails to show that there were any fifty-dollar bonds of any issue outstanding and unpaid. I suppose it is all right, but I think the evidence ought to be a little more precise and particular.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INTERSTATE AND WEST INDIAN EXPOSITION AT CHARLESTON, S. C.

Mr. TILLMAN. I ask unanimous consent to call up the bill (S. 4673) to encourage the holding of an interstate and West Indian exposition in the city of Charleston, in the State of South Carolina, in the year 1901.

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. In section 6, page 8, line 4, there is evidently a word left out. It reads: "The United States shall not in any manner nor under any circumstances be liable for any of said South Carolina Interstate and West Indian Exposition Association." It ought to read "for any acts or doings." I move to insert "acts or doings."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to amend section 6, page 8, line 4, by inserting, after the words "for any," the words "acts or doings."

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. PLATT of Connecticut. I wish to suggest to the Senator from South Carolina that there are two appropriating clauses in the bill. One appropriates \$75,000 for the building, and then there is another clause which appropriates \$250,000, apparently including the building. There are two appropriating clauses; and while I do not wish to propose any amendment, I suggest that if it passes here and goes to the House it will be well enough to look at it and not have two appropriating clauses in the bill.

Mr. TILLMAN. I hope the Senator will point out anything that is defective and let us fix it right now. We do not want to have any hitch or a double appropriation. We want merely the appropriation of \$250,000, and that is all we do want. Seventy-five thousand dollars of that amount, as I understand the bill, is for buildings, and \$175,000 for all other expenses. It is a duplicate, or was intended to be a duplicate, of the Buffalo Exposition bill.

Mr. PLATT of Connecticut. On page 5, I noticed, as the bill was being read, this language in line 21:

But the contract for said building or buildings shall not exceed the sum of \$75,000, said sum being hereby appropriated for said purpose out of any money in the Treasury not otherwise appropriated.

Now, if I can find it in a moment, there is another appropriation.

Mr. COCKRELL. It is at the bottom of page 6.

Mr. PLATT of Connecticut. Beginning near the bottom of page 6, the bill reads:

And the total cost of said building or buildings shall not exceed the sum of \$75,000, nor shall the expenses of said Government exhibit for each and every other purpose connected therewith, including transportation, exceed the sum of \$175,000, amounting in all—

"Amounting in all," it says—

to not exceeding the sum of \$250,000, which said sum of \$250,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury.

There are two appropriation clauses. I do not think it is necessary to appropriate in the first instance.

Mr. COCKRELL. I suggest that we strike out, in line 22, page 5, after the word "dollars," the words "said sum being hereby appropriated for said purpose, out of any money in the Treasury not otherwise appropriated."

Mr. PLATT of Connecticut. It is all included in the last appropriation.

Mr. COCKRELL. On page 5 I move to strike out lines 22, 23, and 24. Then that will leave the other appropriation and make only one.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. On page 5, section 3, line 22, after the word "dollars," strike out:

Said sum being hereby appropriated for said purpose, out of any money in the Treasury not otherwise appropriated.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, transmitted to the Senate resolutions on the death of Hon. Cushman K. Davis, late a Senator from the State of Minnesota; Hon. John H. Gear, late a Senator from the

State of Iowa; Hon. John H. Hoeffcker, late a Representative from the State of Delaware, and Hon. William D. Daly, late a Representative from the State of New Jersey.

The message also announced that the House had passed a bill (H. R. 11548) to authorize the Kingston Bridge and Terminal Railway Company to construct a bridge across the Clinch River at Kingston, Tenn.; in which it requested the concurrence of the Senate.

ABANDONED PROPERTY IN INSURRECTIONARY DISTRICTS.

Mr. MONEY. I ask to have a reprint made of the bill (S. 602) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof, so as to incorporate an amendment constituting the sixth section of the bill, which amendment has been reported favorably by the Committee on Claims. I ask to have the bill reprinted with that amendment added.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Mississippi? The Chair hears none, and it is so ordered.

SENATOR FROM MONTANA.

Mr. CARTER. Mr. President, as a matter of privilege I desire to call up for present consideration resolution No. 371 on the Calendar, found under the caption of "Subjects on the table." The resolution is one introduced by the Senator from New Hampshire [Mr. CHANDLER] for the purpose of referring certain credentials of Senators appointed from Montana to the Committee on Privileges and Elections. It proposes to refer the credentials of William A. Clark and Martin Maginnis, appointed Senators from Montana, to the Committee on Privileges and Elections for report, and so forth.

Mr. PETTUS. What is the motion, Mr. President?

Mr. CARTER. That the resolution referred to be taken up for present consideration to the end that the credentials may be referred and reported upon, as the resolution provides.

The PRESIDING OFFICER. The resolution will first be read for the information of the Senate.

The Secretary read the resolution submitted by Mr. CHANDLER on the 25th day of May, 1900, as follows:

Resolved, That the credentials showing the appointment as Senator from the State of Montana of William A. Clark, signed by Acting Governor A. E. Spriggs, and the credentials showing a like appointment of Martin Maginnis, signed by Governor Robert B. Smith, be taken from the table and referred to the Committee on Privileges and Elections, and that said committee be directed to inquire whether either of said appointees has been duly and legally appointed to a seat in the Senate as Senator from said State of Montana, and if so, to report which of said appointees is entitled to be admitted to the seat.

Mr. CARTER. I ask for the adoption of the resolution.

Mr. COCKRELL. Has it been to any committee?

Mr. CARTER. I wish to refer the matter to the committee. The resolution has been on the table since the latter part of May. It will be recalled by the Senator from Missouri that the credentials of Mr. Clark were presented and laid on the table. The credentials of Mr. Maginnis were, I think, presented and likewise laid on the table. Thereupon the chairman of the Committee on Privileges and Elections submitted resolution No. 371, which has just been read. That resolution was not acted upon at the last session of Congress. It is desirable that the State shall be informed who is entitled to represent it upon the floor. An effort has been made by the lieutenant-governor, and likewise by the governor, to get an appointment to the Senate of a Senator to fill the vacancy created by the resignation of Mr. Clark. I do not know how the matter can be disposed of except by the reference provided for in the resolution. I think the State is entitled to a prompt report upon the resolution, and that such a report should indicate who is entitled to the seat under the appointments now pending in the Senate.

Mr. BACON. Mr. President, I would take the liberty of suggesting to the Senator from Montana that the resolution which it is now proposed to adopt should make provision for due notice being given to these several gentlemen, one of whom, as I am informed, is in the distant State of Montana, and he should have an opportunity to be present at the time the investigation is to be entered upon by the committee.

Mr. CARTER. I understand that such notice would be given in conformity with the regular rules of the committee. I have no objection whatever to having the resolution state that the respective applicants for the seat shall be duly notified. I assume that that will be done.

Mr. HOAR. I hope the Senate would trust any committee of this body to see that if there were any doubt upon the title of a Senator to be sworn in the committee would give him a hearing before reporting upon the case; but supposing—

Mr. BACON. The Senator will pardon me a moment.

Mr. HOAR. I have not quite completed the sentence; then I will yield. Supposing it should turn out that there was no doubt whatever as to the title of one of these persons to take the seat in

the minds of anybody on the committee, it would be an injustice to him then to give him a notice to appear to argue in favor of a conclusion which the committee had already reached; and if the Senator's amendment is made to the resolution that must be the result.

Mr. BACON. With all due deference to the learned Senator, there is a difference between this and an ordinary case. If the investigation were to be limited to the right of a single party to a seat, then the proposition of the Senator would be correct. But the Senator will observe that here are two claimants, and the right of one is necessarily antagonistic to the right of the other. Therefore, if the committee should determine that one of the contestants or claimants is entitled to the seat, it would certainly be due to the other claimant that he should have the opportunity to show to the committee that they were in error.

Mr. HOAR. Unquestionably.

Mr. BACON. Therefore it is important, in view of this particular complication, that both the claimants should have notice not only of the investigation the committee might make as to the particular right of one, but of the investigation which the committee would proceed to make as to the claimant whose right to the seat the other opposes.

Mr. HOAR. I do not see any objection—

Mr. CARTER. Mr. President—

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

Mr. COCKRELL (to Mr. CARTER). Let the matter go over until to-morrow.

Mr. CARTER. The pending business is, I understand, of the highest privilege, and takes precedence.

Mr. HOAR. I suggest to the Senator from Montana to accept the amendment of the Senator from Georgia.

Mr. CARTER. I have no objection to the amendment, Mr. President.

Mr. BACON. If the committee state it is their purpose to give both claimants notice and not to limit the notice to the particular one whose right they may propose to investigate, I do not desire that there shall be any amendment proposed. If the committee should indicate that that is the purpose, that would be entirely satisfactory.

Mr. HOAR. The chairman of the committee is not present, and being next in seniority I think I can safely give the assurance, in behalf of the committee, that these gentlemen will be notified.

Mr. BACON. That both of them will be notified?

Mr. HOAR. Yes.

The PRESIDING OFFICER. The unfinished business will be stated.

Mr. BACON. And that they will have the opportunity to be heard before the committee?

Mr. VEST. I appeal to the Senator from Montana to let this matter go over until to-morrow. I should like to look into it. It has come up suddenly; it is a matter of very extreme importance in more ways than one, and no harm can come from its going over until to-morrow. Although it is a question of the highest privilege, there is no necessity for rushing it right through the Senate now.

Mr. CARTER. I beg the Senator to remember that there has been no undue haste in pressing it. I have no objection to the resolution going over until to-morrow. I do insist, however, that the State, having made an effort to secure a full representation on the floor of the Senate, is entitled to know what, if any, defect exists in either of the credentials, and whether the proper proceedings have been followed to secure representation here, and that the State is entitled to that information at as early a date as practicable. That is all. I have no objection to the resolution going over until to-morrow.

THE PHILIPPINE ISLANDS.

The PRESIDING OFFICER. The Chair lays the unfinished business before the Senate. It will be announced by title.

The SECRETARY. A bill (S. 2355) in relation to the suppression of insurrection in, and to the government of, the Philippine Islands, ceded by Spain to the United States by the treaty concluded at Paris on the 10th day of December, 1898.

PROMOTION OF COMMERCE AND INCREASE OF TRADE.

Mr. FRYE. I move that the Senate proceed to the consideration of the bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

Mr. PETTIGREW. Let the bill be read for information.

The PRESIDING OFFICER. The Senator from Maine moves that the Senate proceed to the consideration of Senate bill 727. Does the Chair understand the Senator from South Dakota to demand the reading of the bill?

Mr. PETTIGREW. I demand the reading of the bill.

Mr. FRYE. I was going to ask unanimous consent that the formal reading might be dispensed with and that when read it might be read for amendment, the committee amendments to be first considered.

Mr. VEST. Let it be read.

Mr. PETTIGREW. Do I understand that the Senator from Maine wishes to make some remarks?

Mr. FRYE. Yes; I wish to explain the bill.

Mr. PETTIGREW. Very well. I will withdraw my request.

Mr. FRYE. Will the Senator consent to that request?

Mr. BACON. What is it?

Mr. FRYE. That the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments shall first receive consideration.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Maine that the bill has not yet been taken up for consideration. The question is upon the motion made by the Senator from Maine, that the Senate proceed to the consideration of Senate bill 727, the title of which will be read.

The SECRETARY. A bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

Mr. JONES of Arkansas. I ask for the yeas and nays on the motion of the Senator from Maine.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULBERSON (when Mr. CHILTON's name was called). My colleague [Mr. CHILTON] is absent on account of illness.

Mr. MCCUMBER (when his name was called). I have a general pair with the Senator from Nebraska [Mr. ALLEN]. I will transfer that pair to the Senator from Ohio [Mr. FORAKER], and vote "yea."

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. McLAURIN]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. MONEY. I am paired with the Senator from Oregon [Mr. McBRIDE]. If he were present, he would vote "yea" and I should vote "nay."

Mr. BURROWS (after having voted in the affirmative). I am paired with the senior Senator from Louisiana [Mr. CAFFERY], and withdraw my vote.

Mr. HANNA (after having voted in the affirmative). I wish to inquire if the Senator from Utah [Mr. RAWLINS] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. HANNA. I will transfer my pair with that Senator to the Senator from New York [Mr. DEPEW], and let my vote stand.

Mr. WARREN. On this vote I am paired with the Senator from Washington [Mr. TURNER]. If he were present, I should vote in favor of taking up the bill, and I assume that the Senator from Washington would vote in the negative.

The result was announced—yeas 38, nays 20; as follows:

YEAS—38.

Aldrich,	Fairbanks,	Lodge,	Quarles,
Allison,	Foster,	McComas,	Scott,
Baker,	Frye,	McCumber,	Sewell,
Bard,	Gallinger,	McMillan,	Shoup,
Beveridge,	Hale,	Mason,	Stewart,
Carter,	Hanna,	Nelson,	Thurston,
Clark,	Hansbrough,	Penrose,	Wetmore,
Cullom,	Hawley,	Perkins,	Wolcott.
Dolliver,	Hoar,	Platt, Conn.	
Elkins,	Kean,	Platt, N. Y.	

NAYS—20.

Bacon,	Culbertson,	Lindsay,	Taliaferro,
Berry,	Harris,	Morgan,	Teller,
Butler,	Heitfeld,	Pettigrew,	Tillman,
Clay,	Jones, Ark.	Pettus,	Vest,
Cockrell,	Kenney,	Sullivan,	Wellington.

NOT VOTING—27.

Allen,	Deboe,	McEnery,	Rawlins,
Bate,	Depew,	McLaurin,	Simon,
Burrows,	Dillingham,	Mallory,	Spooner,
Caffery,	Foraker,	Martin,	Turley,
Chandler,	Jones, Nev.	Money,	Turner,
Chilton,	Kyle,	Pritchard,	Warren.
Daniel,	McBride,	Proctor,	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FRYE. Mr. President, our present condition as a great maritime nation is humiliating beyond expression. With thousands of miles of seacoast equipped with fine harbors, boundless forests, iron and coal enough to supply the world, skilled mechanics, enterprising shipbuilders, the largest exportations of any country in the world, imports amounting last year to \$840,000,000, and abundant capital, we have permitted other countries—our commercial rivals, our inferiors in most of these regards—to seize upon the pathways of the oceans and hold them to our practical exclusion. Last year we carried under our flag to and from Europe

only 2½ per cent of our exports and imports; to and from the world a fraction over 9 per cent. We paid foreign nations, principally Great Britain and Germany, \$500,000 a day in gold for transporting our foreign commerce.

I fail to see how anyone can be blind to the dangers of our position in this regard. Our short and decisive war with Spain compelled us to hunt the seas over for transports and colliers; to purchase or charter forty ships from foreign nations. Suppose the war had lasted a year, or had been with a more powerful nation, and neutrality had been enforced, as it should be, we would have been in most serious straits. As it was, our producers paid heavy penalties in increased freight rates. Great Britain in her war with the Boers had transports enough; but even then rates were seriously advanced in the East. Suppose there should be a European war or a conflict between Great Britain and Germany, what would become of our enormous export trade? Who would be our carriers? Who would pay the war insurance premiums on our cargoes, even if carriers could be found? We should suffer almost as seriously as either of the combatants. Our farmers, manufacturers, and wage-earners would pay almost as much as a cost of the war as they.

From a purely commercial point of view in peaceful hours could anything be less helpful to us than the employment of agencies whose interests were entirely antagonistic to ours? How would they help us to find markets for our products? Could we expect them to be ambitious to extend our foreign trade?

I have been trying for many years to find a remedy for this unfortunate condition. A few years ago, as chairman of the Committee on Commerce, I reported a bill to the Senate, which became a law, removing all statute burdens from our ships. The decline still kept on. I reported an amendment to the Post-Office appropriation bill, intended and well designed to establish steamship lines to the South American Republics and to promote our trade with them. It became a law, but the Postmaster-General refused to execute it, resorting to the statutes authorizing the Post-Office Department to compel our vessels to take and deliver the mails, receiving as compensation sea and inland postage not sufficient to pay the actual cost of the service. Congress repealed those statutes.

In 1891 I reported from the Committee on Commerce two bills, one paying a bounty to all ships engaged in the foreign trade, the other postal subsidies. The bounty was nearly double that contained in the pending measure. It passed the Senate and was defeated in the House by a majority of 3. The subsidy bill cost me several months of hard work. To be certain of providing rates just and adequate for the several classes of steamers I consulted leading experts, who made most careful and painstaking examination. The completed bill was submitted to capitalists who were willing to consider the propriety of establishing steamship lines to South America, in the Pacific, and across the Atlantic.

I received assurances that if the bill was enacted into law six or eight lines would be established of ships from 14 to 21 knots an hour. The House crippled the bill by a large and unscientific reduction of rates, returned it to the Senate too late in the session for any contest, and it became a law. Of course, it proved a dead failure. We did succeed under it in securing the American Line from New York to Southampton by admitting the *New York* and *Paris* to an American registry on condition that the company should build two ships here of like tonnage and speed. But those four ships have ever since been run at a loss to the corporation, not to us, for their value as auxiliaries to our Navy during the Spanish war was beyond computation.

Now, in these regards we are at our worst when we should be at our best. The world has entered upon a fierce commercial war, each of the great powers seeking an extension of its foreign markets. The most of them are already entrenched in all of the commercial ports of the world, with subsidized steamship lines, banking facilities, long-established business agencies. They are all, too, looking especially to the East for the desired extension; Russia, England, Germany, France, and Italy are paying \$5,000,000 in aid of steamship lines to Asia, while we are paying \$48,000; and yet our necessities are as pressing, if not more so, than theirs.

Our productive forces are greater than those of any other country. We raise more wheat, ten times more corn, five times more cotton, produce more coal, more pig iron, more copper, have cheaper freight rates on rail, by river and lake, than any country in the world. Our product from farm, factory, shop, and mine is increasing enormously. During the last three years we have exported \$500,000,000 worth more of farm products than during the preceding three years. Our manufactures are showing a corresponding increase. In 1897 we exported \$151,000,000 and imported twice more than we exported. Last year we exported \$200,000,000 more than we imported.

This increase will continue, and to us an extension of our foreign markets is an absolute necessity if prosperity is to continue, for an unsold surplus would prove its death knell. In some regards there is no nation better equipped to secure its share of the

trade of the Pacific than ours. With our Pacific coast, Hawaii and Pearl Harbor, the best in the Pacific; Tutuila, with the second best harbor, a coaling and naval station already completely equipped there; Guam, a coaling station and a landing place for our cable, and I sincerely hope that the cable will be provided for at this session; the Philippine Archipelago, with Manila for a distributing point for our products, we lack but one thing—ships to carry our exports. This is a serious handicap. One of the most efficient possible agencies for the extension of our markets would be American ships, officered by intelligent, active, and interested American citizens, seeking markets for our goods, establishing abroad all the necessary agencies for trade.

Why do we find ourselves in this unfortunate and humiliating condition as to our foreign carrying trade? In my opinion there can be but one answer. Our ships costing 25 per cent more than those of England and Germany, with operating charges at least 40 per cent greater by reason of higher wages and better living, unprotected, are compelled to compete with those protected.

We outstrip other nations in nearly all of the industries by law encouraged and protected. This one alone, more important than any other, because national, is left to fight the battle with the world unaided. We have to-day a most magnificent fleet of coastwise, river, and lake vessels, with a tonnage of documented and undocumented close on to six millions. It carried last year 168,000,000 tons of freight and 200,000,000 passengers at lower rates than elsewhere known.

This industry has been protected for a hundred years by a law prohibiting any foreign ship from engaging in it.

This brings me to the consideration of the pending measure. Three years ago, instructed by resolutions of State legislatures, of political conventions, of commercial organizations, by recommendations of public officials, it seemed to me that our people were taking a greater interest in the restoration of our merchant marine than ever before, and that it was an opportune time to once more call the attention of Congress to the subject. I found, however, a great diversity of opinion among friends of the ship as to the remedy to be proposed. Discriminating duties had many advocates; bounties, subsidies, free ships each some. I knew that success was dependent upon united action. As a method of securing that I selected a committee of twenty-five, all friends of Congressional action; some of them shipbuilders and ship owners, experts, required for intelligent conclusions; a majority having no interest other than as American citizens; those interested hardly any two in the same trade or in the same type of ships, selected from every part of the country; some favoring each proposed remedy except that of free ships, a majority at the start for discriminating duties.

This committee was composed as follows: Senators HANNA, ELKINS, PERKINS, FRYE, gentlemen who had shown great interest, and some of whom had had experience in shipping matters; Hon. SERENO E. PAYNE, then chairman of the House Committee on Merchant Marine; Charles H. Cramp, the well-known shipbuilder of Philadelphia; C. P. Huntington, who has probably at Newport News the finest shipyard in the world; Samuel S. Sewall, representing the largest building company of sailing ships in the country; Edwin W. Hyde, connected with the Bath shipbuilding works; C. A. Griscom, president of the American Line; Joseph P. Grace, representing the line between New York and Chile; H. P. Booth, president of the New York and Cuba Mail; William P. Clyde, president of the Clyde Steamship Company; Eugene T. Chamberlain, Commissioner of Navigation; Theodore C. Search, president of the National Manufacturers' Association, the largest association, probably, that is known in the world, having a membership from nearly every State in the Union, an association whose sole object is to promote the export trade of the United States; Aaron Vanderbilt, secretary of the American Shipping League; Harvey D. Goulder, attorney for the Lake Carriers' Association, one of the most accomplished admiralty lawyers in the United States; Charles H. Keep, secretary of the Lake Carriers' Association, which represents nine-tenths of the lake interests; D. D. C. Mink, president of the Coastwise Steamship Association, having no interest in this subject except as an American citizen and understanding shipping interests; A. R. Smith, formerly editor of the Seaboard, now secretary of the New York Commission of Commerce; Frank J. Firth, president of the Lake Carriers' Association, and Thomas Clyde, of the Clyde Steamship Company. The subject-matter was committed to this committee in 1897.

Leaving out myself, Mr. President, I think it would be very difficult to select from the entire country men more capable of just and intelligent conclusions. It was possibly unfortunate for the American Line that Mr. Griscom, its president, was made chairman. To escape even the seeming of selfish purpose for his own, he assented to terms which gave that line the lowest subsidy.

Knowing that the subject to be considered would involve many important legal questions, I advised the employment of counsel. Hon. George F. Edmunds was very wisely selected. The committee was indefatigable in its labors, meeting many times in New

York, Philadelphia, and Washington. After full, complete, and the most careful consideration this committee finally, with entire unanimity, decided against discriminating duties, against discriminating tonnage taxes, against bounties to be paid on the exportation of the products of the American farm, and in favor of sailing bounties for our ships, and in my opinion these conclusions were eminently wise.

I am aware that in the early days when we carried but little of our commerce we adopted discriminating duties and that our carrying trade increased. I am equally aware that we surrendered the discriminating duties. The conditions prevailing then do not prevail at all to-day. Then we were not an exporting nation. Then we imported the most of what we used in the country. Then other countries discriminated and could not complain of our doing so. Then we had no commercial treaties with other nations; and then, again, no man could tell whether or not it was the discriminating duties which increased our carrying trade. We had at the same time a prohibitory tonnage tax against certain classes of ships—absolutely prohibitory. How much did that have to do with our getting our carrying trade back? Again, in those days we built the cheapest ships built in the world. We even built ships for other nations. Then, again, there was not the difference in wages in those days nor in the manner of living on shipboard there is to-day.

Suppose you pass a law providing for discriminating duties of 10, 15, or 20 per cent; who knows but that the next Congress would repeal it? With the danger of such repeal, do you suppose you are going to induce any capital to build these ships, costing all the way from a million to two million dollars apiece? Take our position to-day. See where we would be under discriminating duties. Of course no duty can be laid on exports, and we must deal with imports alone. Our imports last year amounted to \$840,000,000. Thirty-five per cent of those were raw materials for our manufacturers. Is it likely that Congress would impose a duty on those raw materials? Is it likely that the country would receive that with favor? Again, 44 per cent of all those imports are on the free list, placed there by Congress for good and undoubtedly sufficient reasons. Would Congress, then, turn around and impose a duty of 10 or 15 per cent on the entire free list? Certainly it would not. Then it leaves us with three or four hundred million dollars in imports and a discriminating duty to establish our merchant marine once more upon the oceans of the world. It is simply an utterly absurd proposition. It would not be a bagatelle in solving the problem.

Take the matter of bounties on exports. Can you place a bounty on wheat? I do not think the Constitution would permit it. Can you select certain products of the farm and place bounties upon them? I am inclined to think that the lawyers here would say "no." But there are twenty or thirty treaties which would be violated by such a course, and you would be compelled to abrogate all of them. Again, you would be compelled to pay those bounties to all ships alike, and you would simply leave us in the same relative position that we are to-day.

Then, again, who would receive the bounties? The ship, to be sure. You could not hunt up the farmers all over this country and pay them the bounty. They had counsel here, and he proposed a dollar a ton placed on agricultural products. But the tonnage of such products would amount, I think, to between twenty and twenty-nine million tons. That would require an expenditure of from twenty to twenty-nine million dollars every year; and the expenditure would be to the ships, never to the farmer. He would not get the slightest possible benefit from it, while under the measure which is pending I have no doubt that the farmers of this country will receive an immense benefit. You let this bill become a law, and commence building our ships, do you suppose that Germany and Great Britain are going to surrender without a contest the profits that they have been receiving from our carrying trade? It will be one of the sharpest we have ever seen on the oceans. Every witness before our committee and before the House committee declared that in his judgment it would reduce the freight rates for transportation across the oceans at least 25 per cent within two years.

What is the tonnage of our exports and imports? About 30,000,000 tons, as to our exports. Perhaps exports and imports both might amount to in the neighborhood of 40,000,000 tons. What is the average rate across the oceans of the world? It is nearer \$6 than \$5, but call it \$5, and then you have \$200,000,000 paid for freight on your exports and your imports. Suppose these gentlemen are right and that the competition will reduce freight rates 25 per cent. Then you have a saving of \$50,000,000 a year in rates. Who saves that? Not the shipowner. He loses it. It is the producer who saves it. In that way the farmer, the producer, receives a direct benefit. In the other way of bounty it is utterly impossible for him to get any benefit.

I wish to say right here what I should have said before, that in the matter of discriminating duties we encountered thirty-one commercial treaties, every one of which we should be compelled to

abrogate. Some of them you can abrogate, on notice, in a year, some of them in two years. Those treaties are reasonably satisfactory to the people of the United States. Suppose that after we had placed discriminating duties upon the imports sent into this country we should desire once more to place ourselves in accord with the commercial nations of the earth. Do you think we could easily renew our treaties, when we had given this direct offense to all these nations of abrogation and then the discriminating duties? Our relations with the peoples of Europe to-day are of the very best, and our exports to them to-day are enormous, especially to Great Britain. Is it wise to do anything which shall disturb the present amicable commercial relations between us and those countries?

And, as I say, the same trouble will be encountered with the bounties. I wrote to Senator Edmunds in relation to the bounty business, and received a reply which I think I will not take the time of the Senate to read, but with the consent of the Senate I will have it printed as a part of my remarks. It names the treaties a bounty would interfere with, etc.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection that order will be made.

The statement referred to is as follows:

WASHINGTON, D. C., January 15, 1900.

DEAR SIR: Agreeably to your request, I have examined all the treaties in force between the United States and other countries on the subject of the ships of other countries being entitled to bounties on exportations if the United States grant bounties to its own ships, etc. The following list is taken from the book published this year, *Compilation of Treaties in Force*, being House Doc. No. 276, Fifty-fifth Congress, third session. This list contains the names of countries which by express provision of our treaties would be entitled to have their ships receive the same bounties for the exportation of goods from the United States that the United States may grant to its own ships.

1. The Argentine Republic. Treaty of 1853, page 6, article 6.
 2. Austria. Treaty of 1829, page 11, article 6.
 3. Belgium. Treaty of 1879, page 48, article 7.
 4. Bolivia. Treaty of 1858, page 63, article 4.
 5. Brazil. Treaty of 1828, pages 77-78, article 4.
 6. Colombia. Treaty of 1846, page 127, article 4.
 7. Costa Rica. Treaty of 1851, page 148, article 6. This bounty provision is confined to exportations between the two countries.
 8. Denmark. Treaty of 1826, page 153, article 3.
 9. Great Britain. Treaty of 1815, page 217, article 2. This bounty provision is limited to exportations between the two countries.
 10. Greece. Treaty of 1837, page 270, article 9.
 11. Haiti. Treaty of 1864, page 279, article 2.
 12. Hanseatic Republics. Treaty of 1827 (Bremen, Hamburg, Lubeck), page 290, article 1. These Republics are now in the North German Union.
 13. Honduras. Treaty of 1864, page 301, article 6. This bounty provision is limited to exportations between the two countries.
 14. Italy. Treaty of 1871, page 311, article 5.
 15. Japan. Treaty of 1894, page 355, article 8.
 16. Mecklenburg-Schwerin. Treaty of 1847, page 384, article 1.
 17. Mexico. Treaties of 1831 and 1848. The bounty provision under the treaty of 1831 is found in the large book of treaties, page 665, article 6, and is continued in force by the treaty of 1848, Book of Treaties in Force, page 398, article 17.
 18. Netherlands. Treaty of 1852, page 441, article 1.
 19. Nicaragua. Treaty of 1867, page 456, article 3. This treaty does not mention bounties, but provides that each country shall have every right and benefit or concession that may be granted to other countries at any time.
 20. Paraguay. Treaty of 1859, page 484, article 3. This treaty provides that every favor, privilege, etc., granted to citizens of other States shall extend to the citizens of both countries.
 21. Peru. Treaty of 1887, page 499, article 6.
 22. Prussia. Treaty of 1828, page 518, article 9. This treaty provides that any particular favor in navigation or commerce granted to citizens of other countries shall belong to citizens of both parties.
 23. Servia. Treaty of 1881, page 570, articles 1 and 6. This treaty provides that all rights, privileges, etc., enjoyed by citizens of other countries, with respect to commerce, etc., shall extend to the citizens of each.
 24. Sweden and Norway. Treaty of 1827, page 614, article 10.
- It will be seen from an examination of the foregoing named treaties that it is impossible for the United States to grant export bounties to their own ships without bringing into the benefits of the bounty the ships of nearly all the commercial and maritime competitors of the United States, or else by the abrogation of quite or nearly all the treaties above referred to.

To grant export bounties without abrogating the treaties would obviously increase the advantage the foreign ships now have, for an equal increase of payments to two competitors always helps the stronger of the two more than the weaker. Such a bounty could not in the least increase competition and thus lower freight charges.

Again, it is certain that in such case the American producer and manufacturer would neither increase their exports nor get any higher prices for their products.

The supporters of bounty legislation as against the bill under consideration entirely mistake the nature of the bill. It is said that speed, and not carrying goods, is the chief test. It is not. The very first clause of rates provides for all vessels without regard to speed. Speed is also provided for by additional compensation. This is important for many reasons:

First. Speed is sometimes, and indeed often, of high importance in the transportation of food products, especially over warm seas or to tropical countries.

Second. It is also very often important in the transportation of manufactured goods, as much or more so than on land.

Third. Fast and large ships are absolutely necessary to the safety of the United States in time of strain and trouble.

Fourth. At the present time and in the future, under the existing and continuing international struggle for the commerce of the globe, the nation that does not possess, under its own flag, a great fleet of merchant vessels will shortly find itself incapable of either extending its commerce or of defending its rights and honor.

The Constitution of the United States as it now stands is designed to prevent Congress as well as the States from enacting any class legislation whatever. Equal rights and equal opportunities to engage in any business or enterprise, and to receive equal or corresponding benefits from public expenditures, are among the fundamental principles embodied in that instru-

ment. Congress may raise and support armies and navies, and do whatever is fairly incidental to those ends, and thus may provide for inducing the building of ships which may be taken and used in the national defense. It may possibly grant bounties on the exportation of all the products of the country as a means of improving commercial relations with other countries. But if it discriminates by granting bounties on the exportation of particular classes of products it does at once establish a governmental difference in favor of those particular classes and against all other products capable of and designed for similar exportation. It is clear to me, therefore, that a bounty on the exportation of woolen goods or wheat, for instance, while the exportation of cotton goods or corn was left unaided, would be in violation of the Constitution. I think, then, that a law granting a bounty on agricultural products alone, as has been suggested, could not be upheld, just as a bounty on the exportation of manufactured products alone could not be upheld.

If a bounty on exports is to be granted, it must apply to all exports. If such a course of legislation can be maintained at all, it must be on the ground that it is impartial and universal. The instance in our history of the fisheries bounty stood on the principle and policy of providing seamen for national defense. And the sugar bounty of a few years ago, if it could have been held valid at all, which is extremely doubtful, must have been upheld on the ground of the special and peculiar circumstances attending that subject.

A general bounty on exports, if valid, must necessarily be equal, value for value, and if large enough to reach and benefit the original producers and manufacturers would be startling in amount. Every class of industry can be benefited in only two ways:

First. By increasing sales at home and abroad.

Second. By cheapening the cost of carriage from the purchaser to the consumer; and this can in the main only be done by enlarging the means of transportation and thus reducing prices of carriage through competition. It is true that the original cost of production can be reduced by a reduction of the wages of labor, which labor constitutes in almost, if not in all, cases a very large proportion of the value of the thing produced; but such a means of promoting national happiness or welfare would have the opposite effect.

I have condensed these considerations in respect of bounty, and in respect of the opposition to the bill by those favoring the bounty, to the smallest compass, knowing that the committee will understand the points I have suggested and the extensive range of considerations that enter into the subject.

Very truly, yours,

GEO. F. EDMUNDS.

Hon. WILLIAM P. FRYE,

Chairman Committee on Commerce.

Mr. FRYE. None of the committee were in favor of free ships; and I do not know why any of them should be. The highest duty of the United States of America to-day is to provide more shipyards, more docks, more facilities for the construction of ships for the oceans. A great maritime nation like ours might just as well be without a constitution as without shipyards. And free ships would simply relegate all of our shipyards to doing Government work, or supplying the necessities of the coastwise trade and the Great Lakes. Besides, what benefit would a free ship be? What would you save by it? You would save the depreciation, the interest, and the insurance on the additional cost of the American ship over the English, and that is all. You would save, on the average, about \$4.50 a gross ton. That you would save, I admit, but you would still be handicapped by the difference of operation, from 40 to 80 per cent in wages, as between a foreign ship and your own. I assert, and I assert it without the slightest hesitation, that you can admit free ships to the United States to-day, and you will find no capital to invest in them. You will not be able to sail them on the oceans of the world in competition with the Norwegian ships or the English.

A bill was finally drafted embodying the views of this committee, was presented to the Senate in the last Congress by Senator HANNA, and to the House by Representative PAYNE, referred to the respective committees having jurisdiction, was carefully considered, evidence taken, discussion had, amendments adopted, and favorable reports were made; but for want of time the measure was not considered. The general committee agreed to the amendments proposed by the Congressional committees; the press gave the details of the bill to the country. The result was further criticisms, additional amendments. All were considered, and those seeming reasonable were adopted. At the last session of this Congress the amended bills were again referred, were again discussed in committee, additional amendments were adopted, and agreed to by a subcommittee of the general committee, which was continually in session here.

Finally the pending measure, with proposed amendments, was favorably reported to the Senate by the chairman of the Committee on Commerce. In regard to it I wish to say that there never was any other bill before Congress which received such close and critical consideration, on which was expended such careful, conscientious, and intelligent work. Nor was there ever one with this purpose in view which so generally commended itself to the friends of the American ship. Its critics and opponents are those who honestly believe in, and have always advocated, free ships, and the foreign lines who will not tamely submit to surrender the profits of their carrying trade. The former contest it from principle, but are not dangerous, for the country rejects their theory; the latter are inspired only by self-interest, one of the most powerful of all motives, and they will make a most determined, vigorous, and never-ending fight.

I now call your attention to the provisions of the pending bill. The first section authorizes the Secretary of the Treasury to pay to American ships registered and engaged in the foreign carrying trade of our exports and imports one cent and a half a ton for each 100 miles sailed up to 1,500; beyond the 1,500, 1 cent per ton

for each 100 miles. Those figures were reached with the greatest possible care, the only purpose being to equalize the conditions of the British ship and the American ship. The committee did not take the ships which can carry at the lowest possible cost.

The Norwegian ships can beat the world to-day in cheapness of carrying. It did not take the German ships or the Spanish. For its comparison it took the English ship, which in wages and manner of living on shipboard leads the other nations, except perhaps, in the matter of food, Germany, and it only intended that it should equalize the difference between the two. That provision applies to all ships, sail or steam, registered and engaged in the foreign carrying trade. It is the purest kind of democracy. A postal subsidy law is aristocracy; it is monopoly. The subsidy is paid to one great line, for instance, running between this port and the other port, thus practically excluding every other line from running between those ports. But the provisions of this bill seeks to encourage the building of ships by any man who has money enough to build them, and the establishing of lines by any corporation that desires to establish them, and to run them between any ports they please.

The difference between the 1,500 miles and the balance of the long voyages was made on the principle of the long and short haul. The ship that sailed but 1,500 miles would make a great many more entries in a year than the one that sailed 10,000 miles, and the former would have to handle cargo a great many times more frequently than the latter. The ship on the long voyage would have a decided advantage over the ship on the short. It would pay less in port charges, because it would be less frequently in port. It would pay less light-house dues and other port charges abroad for the same reason. Therefore the committee believed that for voyages under 1,500 miles, which would be confined very largely to those between here and the Caribbean Sea ports and the West Indies, the rate fixed was wise, because we have for some time been losing trade there.

Mr. PLATT of Connecticut. The shorter-voyage vessel gets the greater pay?

Mr. FRYE. Yes; for reasons which were very obvious.

Now, is the committee correct in its statement that it costs more to build and more to operate an American ship than it costs our commercial rivals to build and operate theirs? If the committee is mistaken in that respect, then the foundation of this bill falls through. If the committee is correct, then any Senator can see that we never will run American ships on the oceans against foreign ships until there is legislation which will equalize the difference.

Mr. MONEY. I desire to ask the Senator from Maine a question for information.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Mississippi?

Mr. FRYE. Certainly.

Mr. MONEY. The Senator speaks of the results of the work of the committee. Am I to understand him to refer to the committee of 25 distinguished men?

Mr. FRYE. The committee of 25 men.

Mr. MONEY. Not the Committee on Commerce?

Mr. FRYE. I have not yet reached the Committee on Commerce. I am dealing with the bill which two years ago the committee of 25 finally concluded.

Mr. CULLOM. That is not this bill.

Mr. FRYE. Oh, no. It is not this bill by any manner of means.

Mr. HANNA. It has been changed.

Mr. FRYE. It has been changed very materially in a great many respects.

Mr. HANNA. By the Commerce Committee.

Mr. CULLOM. I see there are changes in it.

Mr. FRYE. Now, as to the relative cost of ships. The *St. Louis* and *St. Paul* cost \$5,100,000. Builders on the Clyde offered to construct them for four millions. The *St. Louis* and *St. Paul* cost \$220 a ton. Great Britain's offer was a hundred and seventy-two dollars a ton. I have a report from the Pacific Mail Steamship Company. That company is now building two 18-knot ships at Newport News at a cost of a hundred and sixty dollars a ton. The *Egypt* and the *Arabia*, 19-knot ships, built in England for the Asiatic trade, cost a hundred and forty-two dollars a ton. The 10-knot steamer *Mascanoma*, of forty-two hundred tons, built in England, cost \$53 a ton. The lowest offer made here on bid was \$80 a ton. The fair average cost here of these steamships is a hundred and sixty dollars a ton. In England it is a hundred and forty dollars a ton. I will give the difference on 18-knot steamships. First comes depreciation, which is calculated on all of these ships at from 5 to 6 per cent a year. The depreciation on the American ship would be \$8; on the English \$7. The insurance increase on the American ship would be \$9.60; on the English \$8.40. The interest, which in England is only 3 and 3½ per cent on ship property and here never has been known to be less than 6 per cent and is now no less than that, would be \$8 on the American ship and \$5.60 on the English ship. The difference, total, is \$4.60 a gross ton.

There was very much more evidence than that before the committee as to the comparative cost of ships which I do not deem it necessary at this time to lay before the Senate, but the conclusion reached by the general committee was that from \$4.60 to \$5 a gross ton is the difference in favor of an English ship over an American ship.

Now, as to the cost of operating. I am considering now wages alone. The Pacific Mail Steamship Company is operating the *City of Sydney*, running under the American flag. The wages of officers and men, monthly, are \$3,675. Corresponding ship of the *Campania*, *Sud Americana de Vapores*, under the Chilean flag, \$1,408.66, the American ship wages being considerably more than double the wages of the ship of the Spanish line. Pacific Mail steamer *Peru*, wages per month, \$3,835; corresponding ship under the Chilean flag, \$1,426.97; still in the American ship a good deal more than double the Spanish. The *St. Louis*, under the American flag, monthly wages, \$12,004.35; same steamship under the Belgian flag, \$8,250.02.

Then from the Commissioner of Navigation I have a table giving the different wages, which I will print.

Comparison of officers' and seamen's wages.

	American S. S. Cher- okee (2,557 gross).		British S. S. Critic (2,601 gross).		German S. S. Sonnenburg (2,477 gross).		Dutch S. S. Teutonia (3,200 gross).		Norwegian S. S. For- tuna (2,994 gross).	
	No.	Wages.	No.	Wages.	No.	Wages.	No.	Wages.	No.	Wages.
Captain	1	\$175	1	\$92.34	1	\$102.06	1	\$121.50	1	\$119.21
First mate	1	70	1	46.17	1	42.53	1	40.50	1	29.68
Second mate	1	45	1	31.59	1	28.73	1	24.30	1	21.41
Third mate	1	40	1	26.73	1	19.44	1	18.22	1	16.06
Carpenter	1	40	1	29.16	1	21.87	1	14.17	1	17.51
Steward	1	60	1	31.59	1	13.36	1	14.17	1	21.41
Cook	1	50	1	26.73	1	21.87	1	18.20	1	8.75
Mess-room boy	1	25	1	12.15	1	4.86	1	6.07	1	4.13
A.B. and lamps	1	25	1	21.87	1	21.87	1	21.87	1	21.87
Able seamen	9	225	7	144.57	6	80.16	7	90.72	4	41.83
Ordinary sea- men	1	125	1	78.97	1	10.93	1	23.75	3	23.75
1st engineer	1	75	1	58.32	1	72.90	1	72.90	1	53.03
2d engineer	1	65	1	38.88	1	43.74	1	32.40	1	30.65
3d engineer	1	65	1	35.23	1	29.16	1	24.30	1	21.40
4th engineer	1	65	1	24.30	1	14.58	1	14.58	1	14.58
Donkeyman	6	210	7	153.09	7	102.06	4	58.32	1	16.06
Firemen	3	75	3	40.08	3	40.08	3	34.02	6	85.84
Trimmers	3	120	3	120	3	120	3	120	3	120
Oilers	3	120	3	120	3	120	3	120	3	120
Month	32	1,385	28	851.69	29	646.33	24	553.62	25	510.72
Year		16,620		10,219.80		7,755.96		6,643.44		6,128.64

It is said that it is very singular that an American ship, for instance, lying right beside a British must pay \$35 a month for a fireman and the British ship only \$19; and yet that is the fact. The firemen, of course, are the principal part of the crew on one of these steamships. It takes one fireman for every 3 tons of coal. A 10-knot ship will take about 40 tons of coal. It will take, then, about fifteen or sixteen men in a 10-knot ship. A 21-knot ship will take 378 tons of coal a day, and it will require a hundred and twenty-five men to handle it. The increased cost of high-powered ships as compared with low-powered ships is in geometrical ratio, almost.

Young Mr. Clyde, who is one of the most accomplished ship men I know in this country, who has been before the committees of both Houses and impressed them all very favorably indeed, told us that he chartered a Norwegian ship to run to Haiti from New York, and that he was running an American ship of exactly the same size to and from the same ports. Singularly enough, for he said it was very unusual to do so, the captain of the Norwegian ship, a pleasant gentleman and one who had been in his employ some time, gave him the exact pay roll of the Norwegian ship, and to his utter amazement he found that it was but one-half the wages he was paying in the American ship. Being young and vigorous, he made up his mind to reform it promptly. So he determined that he would not run the American ship unless he could get sailors for the Norwegian wages. He undertook it. In the course of a week he succeeded in getting four at Norwegian wages, and he got them on board ship. That night one of them went ashore and barely escaped with his life. He was immediately mobbed by the rest of the sailors because he had consented to serve under the American flag at Norwegian wages. Mr. Clyde went to the rescue of the man, and when he got back the other three had fled. He gave up the business and paid American wages under the American flag and Norwegian wages under the Norwegian flag. That is the experience everywhere.

Men say, "Suppose your American ship is in Liverpool; is she not to obtain sailors for Liverpool wages?" Not one bit of it, if she flies the American flag. Those sailors know just as much about

wages as the men who run the ship, and they know the going wages under our flag just as well as the captain does. If you ask a man to go on an American ship, where he will have better living and better quarters, he will not do so in a foreign port unless he has the wages the other sailors on the American ship have. Sailorlike, he will take the poorer food, the poorer quarters, and the lower wages and sail under the British flag.

I have in my hand a statement of the wages on the *St. Louis*, from the captain down, under the American flag, and on the *St. Louis* under the Belgian flag, which I will print.

INTERNATIONAL NAVIGATION COMPANY,
Philadelphia, January 30, 1900.

PURSER, *Steamship St. Louis*.

DEAR SIR: Immediately on arrival please furnish this office with two copies of the information called for below relating to the crew of your vessel. One copy to be sent to Mr. G. H. Higbee, manager, and one copy to this office.

Yours, truly,

J. W. SHACKFORD,
Marine Superintendent.

	American rate.	Total per month.
Sailing department:		
1 captain.....		\$375.00
1 chief officer.....		120.00
3 second officers.....	\$70.00	210.00
2 third officers.....	60.00, 55.00	115.00
1 fourth officer.....		40.00
2 carpenters.....	50.00, 40.00	90.00
2 boatswains.....	37.50, 27.50	65.00
8 quartermasters.....	27.50	220.00
4 masters-at-arms.....	25.00	100.00
19 A. B.'s.....	25.00	475.00
4 lookout quartermasters.....	26.25	105.00
2 cadets.....	15.00	30.00
49 Total sailing department.....		1,945.00
Passenger department:		
1 purser.....		137.50
1 surgeon.....		45.00
1 chief steward.....		62.50
1 second steward.....		40.00
7 stewardesses.....		111.55
117 assistant stewards (first cabin, 77; second cabin, 24; steerage, 16).....		1,954.44
15 cooks (first cabin, 8; second cabin, 4; steerage, 3).....		402.90
4 storekeepers (first cabin, 2; second cabin, 1; steerage, 1).....		90.00
5 bakers (first cabin, 2; second cabin, 1; steerage, 2).....		129.73
3 butchers (first cabin 1; second cabin, 1; steerage, 1).....		66.38
1 barber.....		
1 linen keeper.....		
4 scullery men, stewards, 11, at \$3.5s.....		173.30
6 pantry men.....		
4 boys.....		63.05
1 purser's assistant.....		30.00
1 printer.....		29.10
5 mess-room stewards.....		78.81
178 Total passenger department.....		3,414.35
Engine department:		
1 chief engineer.....		150.00
3 second engineers (1 at \$100, 2 at \$85).....		270.00
6 third engineers (1 at \$70, 5 at \$85).....		395.00
6 fourth engineers (1 at \$60, 5 at \$55).....		335.00
3 fifth engineers, at \$50.....		150.00
2 electric engineers (1 at \$70, 1 at \$55).....		125.00
2 refrigerator engineers (1 at \$45, 1 at \$40).....		85.00
1 deck engineer.....		50.00
2 storekeepers, 1 at \$40, 1 at \$35.....		75.00
21 greasers, at \$40.....		840.00
66 firemen, at \$40.....		2,640.00
48 trimmers, at \$30.....		1,440.00
6 cadets, at \$15.....		90.00
167 Total engine department.....		6,645.00
394 Total crew.....		12,004.35

C. M. BENGLESS.

INTERNATIONAL NAVIGATION COMPANY,
Philadelphia, January 30, 1900.

PURSER, *S. S. St. Louis*.

DEAR SIR: Immediately on arrival please furnish this office with two copies of the information called for below, relating to the crew of your vessel; one copy to be sent to Mr. G. H. Higbee, manager, and one copy to this office.

Yours, truly,

J. W. SHACKFORD,
Marine Superintendent.

	Belgian rates.	Total per month.
Sailing department:		
1 captain.....		\$187.67
1 chief officer.....		72.12
3 second officers.....	\$57.69	173.07
2 third officers.....	45.08	96.16
1 fourth officer.....		38.46
2 carpenters.....	28.85, 24.04	52.89
2 boatswains.....	24.04	52.89
8 quartermasters.....	21.63	173.04
4 masters-at-arms.....	19.23	76.92
19 A. B.'s.....	19.23	365.37
4 lookout quartermasters.....	19.23	76.92
47 Total sailing department.....		1,365.51

	Belgian rates.	Total per month.
Passenger department:		
1 purser.....		\$87.31
1 surgeon.....		52.88
1 chief steward.....		50.00
1 second steward.....		33.65
7 stewardesses (1 at \$19.23, 7 at \$14.42).....		120.17
117 assistant stewards (1 at \$19.23, 116 at \$14.42).....		1,691.95
15 cooks (first cabin, 1 at \$23.85; second cabin, 14 at \$14.42).....		230.73
4 storekeepers (first cabin, 1 at \$23.85; second cabin, 3 at \$14.42).....		72.11
5 bakers (first cabin, 1 at \$38.46; second cabin, 1 at \$19.23; steerage, 3 at \$14.42).....		100.95
3 butchers (first cabin, 1 at \$23.85; second cabin, 2 at \$14.42).....		57.69
1 barber.....		
1 linen keeper.....		
4 scullery men } 11 at \$14.42.....		\$158.62
6 pantry men }		
4 boys.....		
1 purser's assistant.....		28.85
1 printer.....		25.00
5 mess-room stewards, at \$14.42.....		72.10
178 Total passenger department.....		2,762.01
Engine department:		
1 chief engineer.....		96.15
3 second engineers.....	\$72.12	216.36
6 third engineers.....	57.69	346.14
6 fourth engineers.....	52.88	317.28
3 fifth engineers.....	40.86	122.58
2 electric engineers.....	43.26	86.52
2 refrigerator engineers.....	45.00, 35.00	80.00
1 deck engineer.....		28.85
2 storekeepers.....		57.70
21 greasers.....		535.50
66 firemen.....		1,427.58
48 trimmers.....		807.84
161 Total engine department.....		4,122.50
386 Total crew.....		8,250.02

C. M. BENGLESS.

Now, take the matter of food. If you have two or three hundred sailors, that is of some considerable importance. The British have no statutory provision at all as to the food requirement, and many of the nations have not. The shipping federation provided one, but it is not followed. They agree upon the food practically between the master and the crew. Our scale requires from one-half to three-quarters more than the shipping federation of England calls for, which, as I say, is not complied with, and a greater variety. I do not believe that Senators have ever looked at the law which we passed two or three years ago as to the food sailors shall be supplied with on shipboard. Why, it is up to almost the menu of Delmonico's. I am not going to read it. With the permission of the Senate, I will print it, so that Senators may see how we serve our sailors.

By the act of December 21, 1893, which went into effect last February, a minimum scale of provisions for seamen on American merchant vessels was fixed by law. That scale is as follows:

	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Water.....	quarts.....	4	4	4	4	4	4
Biscuit.....	pound.....	1	1	1	1	1	1
Beef, salt.....	pounds.....	1	1	1	1	1	1
Pork, salt.....	pound.....	1	1	1	1	1	1
Flour.....	do.....	1	1	1	1	1	1
Canned meat.....	do.....	1	1	1	1	1	1
Fresh bread.....	pounds.....	1	1	1	1	1	1
Fish, dry, preserved, or fresh, pound.....							
Potatoes or yams.....	pound.....	1	1	1	1	1	1
Canned tomatoes.....	do.....	1	1	1	1	1	1
Pease.....	pint.....	1	1	1	1	1	1
Beans.....	do.....	1	1	1	1	1	1
Rice.....	do.....	1	1	1	1	1	1
Coffee (green berry).....	ounce.....	1	1	1	1	1	1
Tea.....	do.....	1	1	1	1	1	1
Sugar.....	ounces.....	3	3	3	3	3	3
Molasses.....	pint.....	1	1	1	1	1	1
Dried fruit.....	ounces.....	3	3	3	3	3	3
Pickles.....	pint.....	1	1	1	1	1	1
Vinegar.....	do.....	1	1	1	1	1	1
Corn meal.....	ounces.....	4	4	4	4	4	4
Onions.....	do.....	4	4	4	4	4	4
Lard.....	ounce.....	1	1	1	1	1	1
Butter.....	do.....	1	1	1	1	1	1
Mustard, pepper, and salt, sufficient for seasoning.....							

The best estimate which can possibly be made as to the difference in food between English sailors and Americans is that it costs 10 cents a day more for the latter than for the former, and as a matter of course it costs a great deal more than in several other countries of Europe.

I had occasion myself to look into this a number of years ago,

and there has been no change since, except that we have been demanding more and more of our ships. I was in Liverpool and stayed there for a week or ten days, anxious to get home. I became acquainted with Captain Russell, who was consul-general of the United States, appointed by Mr. Cleveland. He was an old shipmaster and a very accomplished man. He was a free trader and a free shipman, and of course he and I had sundry discussions on this matter of free ships.

I made the assertion to him about the difference in wages and the difference in food, and he denied it very promptly. I finally prevailed upon him out of friendship—he and I were personal friends—to make himself entirely acquainted with the wages and the food cost on shipboard of all the maritime nations in the world, and he consented to do it. He told me that he spent a year in the inquiry, and did the work with the utmost thoroughness. Then, instead of sending his report to me he forwarded it to our Secretary of State, Mr. Bayard. It is in the State Department today, and can be seen by any Senator. He wrote to me that he had dropped his free-ship theory and no longer held to it, for he said he was perfectly amazed at the result. I wish to quote from that report.

Reference to these tables—

That is, to the tables which he furnished the State Department—

Reference to these tables will show that the vessels of the United States pay the highest rate of wages, besides costing more for maintenance of the crews than those of any other nation. British vessels in domestic ports can procure crews from 37 to 32 per cent lower than are paid on American vessels, which is a serious item in the disbursement account. Then, again, the cost of maintenance on American ships is about 40 cents a man per day, against the English 29 cents, or a difference of 27 per cent in favor of the latter. It is an acknowledged fact that the living on board our vessels is superior to that of other nations, and it is generally asserted that large quantities of food are supplied to the crews, the scale of provisions laid down by Congress being rarely, if ever, resorted to. The wages paid on vessels belonging to Norway, Sweden, Russia, Germany, Denmark, Austria, Spain, and Italy average from 47 to 50 per cent lower than those of the United States vessels, and the cost of maintenance about 32 per cent less, except that of Germany, which is about 10 per cent less only.

The consul gave carefully prepared tables, illustrative of these statements. I took those statements and the tables which he furnished the Secretary of State and undertook (and I spent a great deal of time in doing it) to take one of John Roach's ships which was then running between New York and Brazil and a Spanish ship, I think she was the *Alameda*, of the same tonnage, which was receiving a subsidy from an act of the Cortes of Spain, and to make a carefully prepared comparison between the two ships. All the figures given were figures taken from the books. I had employed to get it from the Spanish ship a man who had lived in Spain a great many years and was on the most familiar terms with the captain of the *Alameda*, if that was the name of the ship.

I give here all of the items of difference between the two ships making the same voyages and of the same tonnage and of the same speed. I found that the Spanish ship had an advantage of the American ship, including her subsidy, of \$10,748.95 a month, which is over \$120,000 a year. I found that the American ship could carry for \$7.50 a ton, and the Spanish ship could carry for \$5 a ton and make just as much money as the American ship.

	American steamer.	Spanish steamer.	Difference in favor of Spanish.
S. S. Alliance, cost	\$382,378.00		
Spanish, exactly similar		\$344,140.00	
Difference of cost in favor		38,238.00	
Equal in interest per month			\$191.19
Cost of crew, wages per month	2,500.00	1,750.00	750.00
Cost of crew, food per month	1,152.00	691.20	460.80
Mail service, Brazil Government, distance 11,490 miles, time 2 months—\$4,750—or per month	2,375.00		
Mail service, Spanish Government with Spanish Co. of Nov. 1, 1886, approved Nov. 1, 1886, article 285, clause A, distance 10,230 miles, at 10.18 pesetas, or \$1.99 per mile, amounting to \$20,307.50; difference of mileage compared with Brazil steamers, 1,260 miles, at \$1.992, 501.10; total, 11,490 miles, at \$22,808.60 per month		11,404.30	9,029.30
Ship chandlery	450.00	500.00	
Coal about equal			
Engine-room stores, oil waste, etc.	250.00	180.04	70.00
Insurance, 5½ per cent per month	1,673.00	1,505.00	168.00
Wear and tear, 2½ per cent per month	796.62	716.95	79.66
Total			10,748.95

* Difference in favor of American, \$50.

Total difference per month in favor of Spanish ship, \$10,698.95; total difference per annum in favor of Spanish ship, \$128,387.40; \$10,698.95 per month in favor of Spanish ship enables same to carry cargo 33 per cent less than United States ship, same tonnage.

Now, what happened? John Roach lost money year after year; then sold out his line to Mr. Thurber and other gentlemen in New York; they lost their entire investment, and the line was withdrawn. Could any other result have by any possibility happened?

Well, now, what was true of the Spanish ship and John Roach's is true of every American ship to-day engaged in the foreign trade, though not quite to the same extent.

Take a British ship at the average subsidy of the postal lines and institute the same comparison, and you will find that she has an advantage of the American of at least \$8,000 a month.

I had a carefully prepared comparison covering all these things, a statement of the difference in the three elements of cost of ocean transportation in vessels of the type of the steamship *St. Louis* under the American flag as compared with the Belgium flag, and with the permission of the Senate I will print that as a part of my remarks without reading it.

The PRESIDING OFFICER. The order will be made.

The statement referred to is as follows:

Cost in the United States	\$2,550,000
Cost in England	2,000,000
Difference in cost	550,000
Per annum	
Depreciation in difference in cost, at 6 per cent	\$33,000
Average interest on difference in cost, at 3 per cent	16,500
Average insurance on difference in cost, at 3 per cent	16,500
Difference in wages, based on 394 men at an average of \$30 per man per month under American wage scale, as compared with \$20 per man per month under Belgian wage scale	43,908
Difference in subsistence, based on 10 cents per man per day, which is a reasonable estimate of the difference in cost of American food scale as compared with Belgian food scale	14,184
Difference in cost of repairs, based on 20 per cent of average cost of repairs; this difference of 20 per cent being a reasonable estimate of the difference on cost of all repairs in the United States as compared with Belgium	9,554
Total	133,646

The steamship *St. Louis*, being 11,629 gross tons and making on an average 12 round voyages of 6,200 miles per year, could earn under the full rates of compensation provided for in clause (a) of the bill \$108,448 per annum. Since, as stated above, the actual difference in the cost of furnishing transportation with the *St. Louis* under the American flag as compared with the Belgian flag in the same service and on the same scale would be \$133,646 per annum, and the amount the *St. Louis* would receive for this service, under the full rates provided in clause (a) of the bill, would be only \$108,448 per annum, there will be a loss of \$25,198 per annum that has got to be made good to the owners of the *St. Louis* in some other way than as provided in clause (a) of the bill.

In addition to this it must be borne in mind that while, as indicated in the foregoing statement, the American owner must charge and pay 6 per cent interest on the money used in building his ship the Belgian, or other foreign owner in good credit, can get this money at a much lower rate. It is a fact that the International Navigation Company, in the construction of its foreign-built ships, has for years been able to borrow money at not exceeding 3½ per cent, while in the United States this same company has been obliged, and will be obliged, to pay 6 per cent; therefore really in addition to the difference in the cost of furnishing transportation in the *St. Louis*, under the American flag, as compared with the Belgian flag already stated, there should also be charged a difference of 2½ per cent interest upon the entire original cost of the ship, which, taking into consideration the 6 per cent depreciation account, as I have done throughout this statement, would be equivalent to 1½ per cent on the original cost, or \$31,875 per annum. This latter amount, together with the loss of \$25,198 per annum, as above stated, makes a total loss, after receiving all the compensation that can be earned under clause (a), \$57,073 per annum.

This amount, say \$57,073, must therefore be carried forward to be made good to the owners of the *St. Louis* out of the compensation that can be earned under the (b) clause, which latter compensation must also cover the equivalent of the mail pay, admiralty, and other subventions paid by the foreign governments to their steamers of the class of the *St. Louis*.

The *St. Louis*, making an average of twelve voyages per year across the North Atlantic, if under the British flag would receive relatively the same government subventions as similar steamers of the Cunard and White Star lines receive, to wit, \$12 per gross ton, which, upon the gross tonnage of the *St. Louis*, say 11,629 tons, is equivalent to \$147,339.46 per annum. Adding this last amount to the loss of \$57,073 per annum, carried forward above, we have a total of \$204,412.46 per annum, to be made good to the owners of the *St. Louis* out of the compensation to be paid under clause (b).

The *St. Louis*, being a 20-knot ship, can earn on twelve round voyages of 6,200 miles, under clause (b), \$173,040 per annum; therefore, even after receiving all of the compensation that the *St. Louis* can earn under the bill, under both clauses (a) and (b), she is worse off than her British competitor of the same type in the same service by \$31,372.46 per annum.

This shows conclusively that the rates of compensation provided in clause (b) are not excessive, and it will require all the ingenuity and better management of which the American owner is capable to maintain his position, even with all the assistance rendered by the bill.

Mr. FRYE. Now, the next provision in the bill reaches another class of ships. Originally, as the bill was agreed upon, we commenced a speed premium at steamships of 14 knots, with a gradual increase up to and including the 21-knot ship. This was in addition to the sailing bounty heretofore referred to.

We did it in part because the most of those ships were liable to carry our mail, this bill providing that all of those ships shall carry the United States mail for nothing, furnish all the necessary quarters for messengers, and everything of that kind without charge. Then, again, from 14 knots and upward they are liable to be called upon in case of war as auxiliaries and transports.

Then, again, they were obliged to meet the subsidized ships of the world, and I think Senators will be surprised to note to what extent those ships are subsidized. Take 16-knot ships up to 22-knot, and in the world outside of the United States there are only six to-day which are not running under subsidies from other governments.

Mr. TELLER. To what classes of ships?

Mr. FRYE. Sixteen-knot ships up to 21 knots, both inclusive. There are only six in the whole world to-day unsubsidized by their governments. From 14-knot ships up to 21, inclusive, 80 per cent

of all are to-day subsidized by foreign governments, and those are the ships with which we are obliged to compete with our American steamships, in addition to the other difficulties.

Mr. TELLER. I should like to ask the Senator a question. Does the Senator put in a table showing what countries subsidize their ships?

Mr. FRYE. I can do so.

Mr. TELLER. I wish the Senator would do it.

Mr. FRYE. I wish first to give a recent act of the German Reichstag. They are preparing to secure the trade of Africa and at least to get their share of it as soon as the Boer war is over. I insert an article from a German newspaper:

[Shipping Weekly Summary, London, March 16, 1900—London Morning Post Correspondent.]

GERMAN STEAMSHIP PROJECT.

BERLIN, March 12, 1900.

A bill has been laid before the federal council providing for an augmentation of the German mail service to South Africa commensurate with the rapid increase in commercial prosperity of that quarter of the globe which may be expected to follow the conclusion of the war. The present contract with the German East Africa line terminates at the end of this year.

It is proposed to establish a fortnightly mail service, running alternately from the east and from the west round the Cape of Good Hope, and assisted by an intermediary line to and from East Africa through the Suez Canal. The imperial subsidy to the contractors is to be raised from 900,000 marks to 1,350,000 marks annually.

The bill also stipulates for the construction of five new large steamers at a cost of 2,500,000 marks each, and of four medium-sized steamers at 1,300,000 marks.

That became a law last May. The subsidy will pay in thirteen years the entire cost of this new fleet of nine German steamships of 12 knots and under. Or, viewed in another way, these nine German ships will draw a subsidy about 25 per cent greater than proposed in the shipping bill now pending.

That, I think, does not appear in the Commissioner's report, because it was so late that the law was passed. But the Commissioner of Navigation is one of the most accomplished Commissioners we have ever had and is very faithful in his work. I commend his report to Senators who desire to make themselves familiar with this subject—last year's report and this year's report.

THE SUBSIDIES OF OTHER NATIONS.

Take Great Britain. She does not pay so much now as she used to. She has been in the habit, if we undertook to interfere with her, of doubling her subsidies, and drove the Collins line off in that way.

Great Britain	\$5,851,525
Mail contracts and mail pay, 1899 ¹	\$3,755,395
Colonial mail contracts, 1899 ²	765,450
Mail contracts not ascertained (about), 1899 ³	100,000
Admiralty subventions, 1899 ¹	316,323
Retainers to merchant seamen, 1899 ¹	606,853

That is money paid to the merchant seamen, so much a year, not for any service, but to retain them in case service is required in war.

Refunds to British ships with naval-reserve apprentices (about), 1899 ²	\$150,000
Canadian fishing bounties, 1897 ¹	157,504
Making in all, \$5,851,525.	

That is Great Britain's, and this gives Germany, France, Italy, Russia, Austria-Hungary, Spain, Portugal, Netherlands, Norway and Sweden, Denmark, and Japan. With the permission of the Senate, I will print the whole statement in my remarks.

Germany	\$1,894,620
Mail subsidies, 1899 ²	\$1,544,620
Trans-Atlantic mails (about) ³	350,000
France	7,632,242
Mail subsidies, 1899 ²	4,655,791
Navigation bounties (annual average for past five years) ¹	1,863,469
Construction bounties, 1897 ¹	903,142
Fishing bounties, 1897 ¹	119,840
Italy	2,185,266
Mail subsidies, 1899 ²	1,679,985
Navigation bounties, 1897 ¹	394,557
Construction bounties, 1897 ¹	110,724
Russia	1,371,187
Subsidies, 1899 ¹	1,065,187
Refund Suez Canal dues, 1899 ¹	306,000
Austria-Hungary	\$1,724,249
Mail subsidies 1899 ¹	\$1,724,249
Navigation and construction bounties	(2)
Spain	1,629,927
Mail subsidies, 1899 ²	1,629,927
Construction bounties	(2)
Portugal	63,300
Mail subsidies, 1898 ²	63,300
Netherlands, 1898	259,971
Mail subsidies ³	259,971
Norway	136,948
Mails and subsidies, 1899 ²	136,948
Sweden	31,844
Mails, 1898 ¹	31,844
Denmark	82,455
Mails ¹	82,455
Japan	3,492,107
Mail subsidies, 1899 ¹	3,316,482
Navigation bounties	
Construction bounties, 1899 ¹	138,625
Fishing bounties, 1898 ¹	37,000
Grand total	23,355,641
United States, 1899 ¹	998,211

¹ Government report or statute. ² Steamship report or contract. ³ Estimate.

I wish right here to insert something else in the RECORD. Strange and wonderful criticisms have been made as to this bill, and their number will be like the sands on the seashore. The bill has enemies. The foreign lines will fight it to the bitter end. Perhaps later on in the debate I may wish to make further reply. One criticism constantly urged is that the compensation provided for is unreasonable and extravagant.

Now, I wish to give the Senate certain British lines subsidized, as compared with these which we propose to subsidize. In the Peninsular and Oriental, which is one of the first steamship lines subsidized by Great Britain, the British contract called for \$1,650,297 a year. For exactly the same line of American steamships, making exactly the same voyages, under all the terms of this bill it would be \$1,146,941, nearly \$500,000 less than what Great Britain pays.

The Pacific Steam and Orient figures are given here, the Castle Mail, the Royal Mail, the Canadian Pacific, the Cunard, and White Star.

The totals under those corporations are tonnage, 887,262—more tonnage than we have in the United States engaged in the foreign carrying trade to-day. The contract annually with those companies by Great Britain is \$3,778,982. Put our ships in their place exactly as to size, tonnage, speed, and voyages, and under the Senate bill the pay would be \$3,488,834. This Senate bill proposes to offset the amount awarded under the British contracts of \$3,778,982 by \$3,488,834 awarded under American contracts.

The finding on the part of the general committee was that they could stand this difference in the Pacific Ocean, this advantage on the part of Great Britain, because these ships, nearly all of them, will be obliged to go through the Suez Canal and pay a dollar a ton toll, while the American ships will not be obliged to do the same thing. I will, with the permission of the Senate, insert this statement as a part of my remarks:

Some of the recent criticisms of this bill convey the impression that the compensation it provides for steamships is wholly unreasonable. On the general principle of the bill differences of opinion are to be expected, but its details are not, I believe, subject to criticism on the score of extravagance, at least when compared with the support foreign governments offer to their mail steamships.

The bill gives a uniform rate of compensation to all vessels (sail or steam), virtually 1 cent per gross ton for each 100 nautical miles traversed, to offset the increased cost of construction and operation in the United States. This has not, so far as I am aware, been criticised as unreasonable, if one accepts the theory that the Government is warranted in offsetting those differences in order to give our merchant shipping in foreign trade a start.

The bill, as it is proposed to amend it, also gives (over and above that virtually 1 cent per ton per 100 miles) a special allowance for steamships of over 2,000 gross tons and of 12 knots speed or upward. About 80 per cent of the seagoing screw steamships in the world which comply with the requirements named as to size and speed now receive and for some years have received the assistance in some form of the various governments whose flags they respectively fly. The proposition in Senate bill 5590, so far from being unwarrantable, therefore, is mere compliance with the ordinary maritime custom of years. It seems strange only to those who have not looked at the facts.

The special and additional rates for steamships of 12 knots or over, which have been condemned as extravagant and unheard of, are designed to offset the corresponding allowances given to similar steamships by foreign governments. Bearing in mind that these rates only (not the allowance for difference in cost of construction and operation) are being considered, the rates proposed are not more than enough to counterbalance contributions by foreign governments to similar steamships.

The large British mail contracts are awarded in lump sums, but I have been at the pains to ascertain the steamships by which they are performed, their size, speed, number of voyages, and distances traversed during a year. With this data it is easy to ascertain the additional rates named to which similar vessels would be entitled to under Senate bill 5590. Viewed another way this comparison will show what foreign governments pay to certain steamships and what American steamships of precisely the same size and speed running parallel to them throughout a year would receive as an offset under this bill. The detailed computations would fill several columns, but following are the summaries (including tonnage of the contract vessels):

	Tonnage.	British contracts.	Senate No. 5590.
Peninsular and Oriental	148,355	\$1,660,297	\$1,146,941
Pacific Steam and Orient S. S. Cos.	56,305	413,100	465,531
Castle Mail and Union S. S. Co.	63,676	456,840	498,410
Royal Mail	21,733	291,600	196,742
Canadian Pacific	17,715	291,600	140,586
Cunard and White Star	79,478	665,545	1,040,624
Total	387,262	3,778,982	3,488,834

Senate bill 5590 thus proposes to offset \$3,778,982 awarded under British contracts with \$3,488,834 awarded under American contracts. The proposition is not extravagant, nor does it mean a pot of money for the owners of fast American steamships. Were it not for two facts—that Americans will obtain advantages for operating slow cargo boats in conjunction with mail steamships, and that our Pacific intercourse with Asia is not subject to Suez Canal tolls—the bill would probably fail to accomplish its purpose.

The last item in the table, which shows a marked difference, calls for a word. The United States has been paying the Cunard and White Star lines annually \$180,000, on the average, for some years (\$225,000 in 1898) for carrying the outward mails. Unless this amount be added to the \$665,000 paid those lines by the British Government, it ought to be deducted from the \$1,040,624, which corresponding American vessels performing the same service would receive under Senate bill 5590 as being "merely mail pay," and having nothing to do with ship subsidies.

Any method of comparing facts with which I am familiar will show that such advantages as this bill gives to American shipping are as much to the benefit of cargo vessels as to mail steamships, in spite of the higher rates given to the latter class, which have been computed on the basis of efforts by other nations to maintain fast ocean mail lines.

Mr. CULLOM. May I ask a question of the Senator?

Mr. FRYE. With pleasure.

Mr. CULLOM. I see that the Senator is thoroughly familiar, apparently, with everything pertaining to this subject. I should like to have him state whether, under the operation of this bill, if it should pass, the South American commerce with the United States will be aided at all, and if so, to what extent, probably.

Mr. FRYE. Under the original postal subsidy bill which I alluded to a while ago, which I reported to the Senate, and which passed the Senate, if it had become a law there would have been two lines between the United States and the South American republics. That had been promised by men who are entirely competent to fulfill their promises. It is absolutely certain that if this bill becomes a law there will be two lines between the United States and the South American republics, of fast ships, because fast ships are more needed sailing south than they are across east and west, on account of tropical climates and the danger by the long voyages of the cargo becoming destroyed.

Mr. CULLOM. The reason why I asked the question is that I have heard people state that they did not think this bill, if it should become a law, would encourage commerce between the United States and the South American republics, and I think it is very important that that should be done in some way.

Mr. FRYE. It is required more between the United States and the South American republics and on the Pacific Ocean than anywhere else, and the purpose of the framers of the bill was to secure our share of the markets of South America and those of Asia. I have no doubt that the bill, if it should become a law, would accomplish those purposes.

I wish, as a matter of interest to Senators, right here to give them an idea of the difference in the consumption of coal on these various ships. A 10-knot ship will consume 44 tons of coal a day and require 15 firemen; an 11-knot ship will consume 53 tons of coal a day and require 18 firemen; a 12-knot ship will consume 65 tons of coal and require 22 firemen; an 18-knot ship will require 209 tons of coal a day and 70 firemen; a 19-knot ship will consume 254 tons of coal and require 85 firemen; a 20-knot ship will consume 305 tons of coal and require 102 firemen, and a 21-knot ship will consume 371 tons of coal and require 127 firemen. So, while the 21-knot ship makes a trifle more than twice as much speed as the 10-knot ship, the one requires 44 tons of coal and the other, instead of requiring twice the amount of coal, requires 371 tons.

Mr. JONES of Arkansas. Ships of the same size?

Mr. FRYE. Just the same size. I will print this statement, which is a carefully prepared one. It is a statement showing the annual cost of coal and handling coal, compared with the compensation under this bill, at various rates of speed, of a steamship of 10,000 gross tons from San Francisco to Nagasaki, 5,000 nautical miles, coal being \$1 a ton, firemen costing \$1 per day, and navigation at full speed for 175 days. A steamship will not be at sea more than 175 days in any year. The rest of the time she is laid off for repairs or in dock, or is taking cargo on board or discharging cargo. Consequently I think this statement will be very instructive.

I wish to explain further about this matter: I said that the bill as agreed to by the general committee commenced the speed premium at 14 knots, but before the Senate Committee on Commerce there were quite a number of gentlemen who appeared in behalf, as they said—and I suppose they did—of the agriculture of the country. They contended that what they were after were low-powered ships—freight ships. They did not care anything about high-powered ships. They wanted low-powered ships to carry freight from the Pacific coast to the East—commonly called "tramps"—especially low-powered ships running from 12 or 13 knots down to 6 and 8 knots an hour. They thought that we had given undue compensation to the higher grade ships. They persuaded the Senate Committee on Commerce that there was something in that contention, and in our investigation we found a singular fact, difficult to explain, but still a fact: A 10-knot ship, running 175 days at the speed provided for it, would pay for coal and handling it under this bill and have \$15,000 left at the end of the year. That is the subvention for the 10-knot ship.

The sailing bounty for a 10-knot ship would give it \$15,000 a year more than its coal and handling; an 11-knot ship would get \$12,000 more; and a 12-knot ship would get only \$8,000 more. The increased cost begins to become somewhat rapid when you strike a 13-knot ship. A 13-knot ship would get only \$2,730 more than its coal, evidently leaving the 12 and 13 knot ships subject to the criticism of the gentlemen who were before us. Therefore we offered an amendment in the Senate Committee on Commerce to the general committee's bill commencing the speed subsidy at 12 knots instead of at 14, and as the bill is before the Senate to-day there is such an amendment pending, which, if adopted, will pay the low-powered vessels more in proportion than the highest.

Mr. CLAY. Will the Senator permit me to ask him a question?

Mr. FRYE. Yes.

Mr. CLAY. Under the provisions of the bill, about how much

subsidy would a 21-knot ship get? Would it not draw about \$304,000 a year?

Mr. FRYE. I can tell you what it gets here. A 21-knot ship will travel 504 miles a day, and get \$304,290. She will burn 371 tons of coal; she will employ 127 firemen, and she will receive as compensation, beyond the cost of handling the coal, \$22,932.

Mr. CLAY. How much would she receive in gross in a year? Would it not be about \$304,000?

Mr. FRYE. Three hundred and four thousand two hundred and ninety dollars.

Mr. CLAY. That is a 21-knot ship?

Mr. FRYE. Yes.

Mr. CLAY. Does a 21-knot ship really carry any farm products?

Mr. FRYE. Of course she does not, other than fresh meats, etc.

Mr. CLAY. Now, how much will a 14-knot ship receive under this bill? Will it not be about a third as much as a 21-knot ship? Is not that true?

Mr. FRYE. No; the 14-knot ship receives over and above the cost of coal \$53,508, while the 21-knot ship only receives \$22,932.

Mr. CLAY. I understand; but the total amount received by the 21-knot ship, which is a fast passenger steamer, will amount to \$304,290.

Mr. FRYE. That is a little over twice as much as a 14-knot ship.

Mr. CLAY. That is the total amount.

Mr. FRYE. Yes.

Mr. CLAY. I understand that most of our farm products are carried by ships of about 12 knots.

Mr. FRYE. Certainly they are.

Mr. CLAY. I understand that to be true, and I understand that the ships that are to convey our farm products under the provisions of this bill will not draw more than a third of the amount of subsidy that the fast passenger steamships will get.

Mr. FRYE. Certainly they will not, and it will not cost more than a quarter as much to run them. But the idea of carrying farm products, wheat, cotton, corn, bacon, and all that sort of thing, in a 21-knot ship! Why, the carrying capacity of a 21-knot ship, so far as freight is concerned, is not over 1,400 tons. Its space is taken up with machinery and with the coal in its bunkers, taking coal for its round voyage, with its passenger and post-office accommodations. Such ships were never in the world intended for freight-carrying ships, and nobody would ever dream of carrying farm products in them.

Mr. CLAY. I so understand.

Mr. FRYE. And nobody would ever dream of carrying farm products in a 14-knot ship.

Mr. CLAY. I never intended to convey the impression that a fast passenger steamship carried farm products, but in the report of the majority of the committee it is stated that the object and purpose of this bill is to increase our exports, which consist chiefly of agricultural products.

Mr. FRYE. Yes.

Mr. CLAY. The idea I wished to convey was simply that the passenger steamers that would draw the largest part of this subsidy do not carry any agricultural products, and that the ships which really convey our agricultural products would not draw a third as much subsidy as the passenger steamers.

Mr. FRYE. And I was undertaking to show just at the time the Senator interrupted me that, in order to aid the lower-powered ships, which do carry agricultural products, we are giving them a higher premium under this bill than we do the fast ships, which do not carry them, and it was done at the demand of the agriculturists. That is just the point I was making about this bill. I will print this table, with the permission of the Senate.

Statement showing annual cost of coal and handling coal, compared with compensation under bills S. 727 and H. R. 64, at various rates of speed of a steamship of 10,000 gross tons from San Francisco to Nagasaki (5,000 nautical miles); coal, \$4 per ton; firemen, \$1 per day; navigation at full speed, 175 days.

Knots per hour.	Miles per day.	Tons coal per day.	Number firemen.	Cost of coal and handling.		Mileage per annum.	Cost of coal and handling per annum.	Compensation.	Excess compensation.
				Per day.	Per mile.				
10.....	240	44	15	\$191	\$0.79	42,000	\$33,180	\$48,300	\$15,120
11.....	264	53	18	230	.87	46,200	40,194	53,130	12,936
12.....	288	65	22	282	.98	50,400	49,302	57,960	8,658
13.....	312	79	26	342	1.10	54,600	60,060	62,790	2,730
14.....	336	96	32	416	1.24	58,800	72,912	120,426	53,508
15.....	360	117	39	507	1.41	63,000	88,830	141,750	52,920
16.....	384	144	48	624	1.62	67,200	108,864	157,920	49,056
17.....	408	173	58	750	1.84	71,400	131,376	182,700	50,324
18.....	432	209	70	906	2.09	75,600	158,004	207,900	49,896
19.....	456	254	85	1,101	2.41	79,800	192,318	235,410	43,092
20.....	480	305	102	1,322	2.75	84,000	231,000	264,600	33,600
21.....	504	371	127	1,611	3.19	88,200	281,358	304,290	22,932

* Assuming that a speed compensation of 0.4 cent is allowed on 11-knot vessels, 0.6 cent on 12-knot vessels, and 0.8 cent on 13-knot vessels.

For consumption of coal and number of firemen, third and fourth columns. see the Report of the Commissioner of Navigation for 1899, pages 53, 54 and 283; also pages 44, 45.

For annual mileage and number of trips, see the above-named report, pages 46, 47 and 282.

For rate of compensation for 5,000 miles, see page 263.

The Senator from Ohio [Mr. HANNA] reminds me that these fast ships do carry dressed beef, and all that sort of thing.

Mr. CLAY. I believe that is correct, and I think I have a manifest showing that they carry crockery and dressed beef.

Mr. TELLER. Before the Senator from Maine gets through I want to ask him a question regarding the bill. Can the Senator give us a statement as to what the different speed premiums would be on these steamships? If the Senator has that I should be glad to have him present it. I do not understand it.

Mr. FRYE. I have it here, and I shall print it.

Mr. TELLER. I want to ask the Senator one other question. I want to ask if the committee have determined as to which is the most economic speed for carrying products like our farm products?

Mr. FRYE. From 8 to 12 knots.

Mr. TELLER. So I understand. That is my information.

Mr. FRYE. That is why the general committee commenced in the first place the speed premium at 14 knots, for vessels having that speed immediately become available as auxiliaries to the Navy in case of need.

Mr. ALLISON. If it be convenient to the Senator to complete his observations to-morrow, I will move that the Senate proceed to the consideration of executive business, if he will yield for that purpose.

Mr. FRYE. I have taken so much time on the first two propositions of the bill that I should like to spend some additional time on the other provisions contained in the bill, and therefore it will suit my convenience entirely.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. VEST. Before that motion is put, I desire to offer an amendment by way of a substitute for the pending bill, and ask that it be read and printed.

The PRESIDING OFFICER. Does the Senator from Iowa withdraw his motion?

Mr. ALLISON. I do for that purpose.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be read.

The Secretary read the proposed substitute, as follows:

Amendatory of Title XLVIII of the Revised Statutes of the United States so as to authorize the purchase of foreign-built ships by citizens of the United States for use in the foreign carrying trade.

Be it enacted, etc., That so many of the various provisions of the Title XLVIII of the Revised Statutes of the United States, entitled "Regulation of commerce and navigation," embraced in chapters 1 to 9 of said title, and from section 4131 to section 4305, both inclusive, as either prohibit or restrict citizens of the United States from purchasing ships built in other countries, to be used in the foreign carrying trade of the United States, or which impose taxes, burdens, or restrictions on such ships when owned by American citizens which are not imposed on ships built in the United States, are hereby repealed; and it shall be lawful hereafter for all citizens of the United States to buy ships built in whole or in part in any foreign country and have them registered as ships of the United States; and when so registered such ships so bought shall be entitled to all the rights and subjected only to the same regulations as are now provided by law for the government and management of ships built wholly within the United States and owned and controlled by citizens thereof.

The PRESIDING OFFICER. In the absence of objection, the amendment will lie upon the table and be printed.

EXECUTIVE SESSION.

Mr. ALLISON. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, December 5, 1900, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 4, 1900.

APPOINTMENTS IN THE ARMY.

TO BE SECOND LIEUTENANTS.

Infantry arm.

Harry W. Graham, of Ohio (corporal, Company D, Twelfth Infantry, United States Army), September 1, 1900, vice Price, Sixth Infantry, promoted.

James C. Williams, of the District of Columbia (second lieutenant, squadron Philippine Cavalry, United States Volunteers), September 1, 1900, vice Kinney, Thirteenth Infantry, promoted.

John Royden Kelly, of South Dakota, September 1, 1900, vice Hocker, Eleventh Infantry, promoted.

E. R. Warner McCabe, of Virginia, September 1, 1900, vice Boyle, Twenty-first Infantry, promoted.

William Swift Martin, of New York, October 11, 1900, vice Young, Tenth Infantry, promoted.

William G. Ball, of Ohio, October 15, 1900, vice Parker, First Infantry, promoted.

Joseph A. Marmon, of Ohio, October 15, 1900, vice Clark, Twenty-third Infantry, promoted.

Emery T. Smith, of California, October 15, 1900, vice Hunt, Nineteenth Infantry, promoted.

Cavalry arm.

Sergt. James Huston, Troop F, Sixth Cavalry, July 25, 1900, vice Holbrook, Fourth Cavalry, promoted.

First Sergt. Edward Calvert, Troop M, First Cavalry, July 25, 1900, vice Wade, Fifth Cavalry, promoted.

Sergt. Bruce Palmer, Troop H, Sixth Cavalry, July 25, 1900, vice Heiberg, Sixth Cavalry, promoted.

Sergt. James E. Fehét, Troop D, Sixth Cavalry, July 25, 1900, vice Kochersperger, Second Cavalry, promoted.

First Sergt. Philip W. Corbusier, Troop C, Fourth Cavalry, July 25, 1900, vice McIntyre, Ninth Cavalry, transferred to artillery arm.

Infantry arm.

Corpl. Ward Dabney, Company H, Tenth Infantry, July 25, 1900, vice Bumpus, Twenty-first Infantry, promoted.

Corpl. John T. Berry, Battery A, Third Artillery, July 25, 1900, vice Miller, Tenth Infantry, resigned.

First Sergt. Paul M. Goodrich, Company M, Fourteenth Infantry, July 25, 1900, vice Hill, Fourth Infantry, promoted.

Sergt. Frank H. Kalde, Company M, Second Infantry, July 25, 1900, vice Dalton, Ninth Infantry, promoted.

Battalion Sergt. Maj. William W. Taylor, jr., Fourth Infantry, July 25, 1900, vice Straat, Twenty-fifth Infantry, promoted.

Q. M. Sergt. John B. Murphy, Battery D, Fourth Artillery, July 25, 1900, vice Catlin, Tenth Infantry, promoted.

Corpl. Russell C. Hand, Troop G, Second Cavalry, July 25, 1900, vice McNulta, Fourteenth Infantry, promoted.

First Sergt. Henry A. Bell, Company M, Twentieth Infantry, July 25, 1900, vice Faulkner, Fourteenth Infantry, promoted.

Corpl. Bruno T. Scher, Company M, Eighth Infantry, July 25, 1900, vice Perkins, Eighth Infantry, promoted.

Private George A. Herbst, Battery K, Sixth Artillery, July 25, 1900, vice Morse, Ninth Infantry, deceased.

Corpl. Jairus A. Moore, Company G, Twenty-first Infantry, July 25, 1900, vice Childs, Sixth Infantry, promoted.

Corpl. Philip J. Lauber, Battery B, Sixth Artillery, July 25, 1900, vice Wagner, Eighth Infantry, promoted.

Com. Sergt. James V. Guthrie, Thirteenth Infantry, July 25, 1900, vice Knabenshue, Fourth Infantry, promoted.

Corpl. Thomas M. Hunter, Battery I, Second Artillery, July 25, 1900, vice Harrison, Twenty-fifth Infantry, promoted.

Private Gad Morgan, Company K, Fifteenth Infantry, July 25, 1900, vice Knox, Twentieth Infantry, promoted.

Corpl. Elverson E. Fuller, Company E, Third Infantry, July 25, 1900, vice Powers, Twenty-fifth Infantry, promoted.

Sergt. William S. Neely, Battery A, Sixth Artillery, July 25, 1900, vice Lieber, Twenty-third Infantry, promoted.

First Sergt. Frank H. Adams, Company I, Seventeenth Infantry, July 25, 1900, vice Bell, Second Infantry, promoted.

Sergt. George C. Lewis, Troop M, Third Cavalry, July 25, 1900, vice Ramsay, Twenty-first Infantry, promoted.

First Sergt. Ernest G. Smith, Company L, Seventeenth Infantry, July 25, 1900, vice Mitchell, Twelfth Infantry, promoted.

Private William H. Patterson, Troop B, Third Cavalry, July 25, 1900, vice Drouillard, Sixth Infantry, promoted.

Sergt. David A. Lindsay, Battery L, Second Artillery, July 25, 1900, vice Crimmins, Eighteenth Infantry, promoted.

Corpl. Leonard J. Mygatt, Company H, Twenty-third Infantry, July 25, 1900, vice Weeks, Twenty-first Infantry, promoted.

Corpl. Elliott M. Norton, Company L, Eighteenth Infantry, July 25, 1900, vice Graham, Fifth Infantry, resigned.

Q. M. Sergt. Thomas M. Bains, jr., Battery E, Sixth Artillery, July 25, 1900, vice Love, Twenty-first Infantry, promoted.

Sergt. Roscoe H. Hearn, Troop M, Fourth Cavalry, July 25, 1900, vice McCook, Fifth Infantry, promoted.

Sergt. Nels Anderson, Troop C, First Cavalry, July 25, 1900, vice Coleman, Thirteenth Infantry, promoted.

Corpl. William McE. Walton, Battery H, Sixth Artillery, July 25, 1900, vice Schindel, Sixth Infantry, promoted.

Sergt. Frank B. Edwards, Battery H, Fourth Artillery, July 25, 1900, vice Pond, Third Infantry, promoted.

Corpl. Arthur H. Freshwater, Troop K, Sixth Cavalry, July 25, 1900, vice Merrill, Twelfth Infantry, promoted.

Electrician Sergt. William Korst, United States Army, July 25, 1900, vice Wetherill, Sixth Infantry, promoted.

Corpl. Joseph C. Kay, Company D, Battalion of Engineers, July 25, 1900, vice Murphy, Twenty-second Infantry, promoted.

Hosp. Steward John Jackson, United States Army, July 25, 1900, vice Baldwin, Twenty-fourth Infantry, promoted.

Acting Hosp. Steward Walter C. Jones, United States Army, July 25, 1900, vice Smith, Eighteenth Infantry, deceased.

Com. Sergt. Charles Abel, United States Army, July 25, 1900, vice Keyes, Third Infantry, killed in action.

Com. Sergt. George R. Greene, Ninth Infantry, July 25, 1900, vice Shields, Fifteenth Infantry, promoted.

Private Elliot Caziarc, Company F, Fifteenth Infantry, July 25, 1900, vice Cooke, Tenth Infantry, promoted.

First Sergt. La Vergne L. Gregg, Company M, Twenty-second Infantry, July 25, 1900, vice Conger, Eighteenth Infantry, promoted.

Acting Hosp. Steward Oliver F. Snyder, United States Army, July 25, 1900, vice Kemper, Fourteenth Infantry, promoted.

Acting Hosp. Steward Edward Lee Rains, United States Army, July 25, 1900, vice Barnes, Eighteenth Infantry, promoted.

Electrician Sergt. Charles L. Woodhouse, United States Army, July 25, 1900, vice Saxton, Fourth Infantry, promoted.

Private Bertram P. Johnson, Company H, Seventh Infantry, July 25, 1900, vice Foy, Eighth Infantry, transferred to cavalry arm.

Sergt. Gustave A. Wieser, Battery G, Fourth Artillery, July 25, 1900, vice McNally, Twenty-fifth Infantry, transferred to cavalry arm.

First Sergt. Walter L. Reed, Battery N, Second Artillery, July 25, 1900, vice Thorne, Twenty-second Infantry, promoted.

Sergt. Ira F. Fravel, Company L, Fifth Infantry, July 25, 1900, vice Howland, Twenty-third Infantry, promoted.

Sergt. William M. Kistler, Battery D, Seventh Artillery, July 25, 1900, vice Aloe, Eighteenth Infantry, promoted.

Electrician Sergt. Robert M. Ellicott, United States Army, July 25, 1900 (since transferred to the artillery arm), vice Oliver, Second Infantry, transferred to cavalry arm.

Corpl. Ned M. Green, Company D, Seventh Infantry, July 30, 1900, vice Fealy, Fifth Infantry, promoted.

Corpl. Theodore H. Koch, Battery I, Sixth Artillery, August 3, 1900, vice Rowell, Second Infantry, promoted.

Corpl. William C. Stone, Troop F, Second Cavalry, August 7, 1900, vice Drum, Fifth Infantry, promoted.

Corpl. James A. Moss, Company B, Seventh Infantry, August 13, 1900, vice Campbell, Twenty-fifth Infantry, promoted.

Corpl. Charles F. Leonard, Company K, Twenty-first Infantry, August 14, 1900, vice Foster, Ninth Infantry, resigned.

Sergt. Henry C. Merriam, Battery H, Sixth Artillery, August 20, 1900, vice Allison, Seventh Infantry, promoted.

Corpl. John Sherman Chambers, Company M, Second Infantry, August 22, 1900, vice De Witt, Twentieth Infantry, promoted.

Battalion Sergt. Maj. James Regan, jr., Ninth Infantry, August 24, 1900, vice Morton, Twenty-second Infantry, promoted.

Corpl. Gilbert M. Allen, Company B, Sixth Infantry, August 29, 1900, vice Wills, Twelfth Infantry, promoted.

Private Raymond W. Briggs, unassigned, Fourth Infantry, August 31, 1900, vice Breckinridge, Seventh Infantry, promoted.

Acting Hosp. Steward Cleaveland Hilson, United States Army, August 31, 1900, vice McCaskey, Twenty-fifth Infantry, promoted.

Corpl. John Randolph, Company G, Sixth Infantry, August 31, 1900, vice McCue, First Infantry, promoted.

APPOINTMENTS OF GRADUATES OF THE MILITARY ACADEMY IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

1. Cadet George B. Pillsbury, vice Boggs, promoted.
2. Cadet Edward M. Adams, vice Smith, promoted.

To be additional second lieutenants.

3. Cadet Gustave R. Lukesh.
4. Cadet Edmund M. Rhett.
5. Cadet John R. Slattery.

TO BE SECOND LIEUTENANTS.

Artillery arm.

6. Cadet Charles R. Lawson, vice Tanner, transferred to infantry arm.

7. Cadet Francis A. Pope, vice Conklin, promoted.

8. Cadet Gilbert A. Youngberg, vice West, resigned.

9. Cadet Stanley B. Hamilton, vice Pearce, deceased.

15. Cadet William P. Stokey, vice McCleave, transferred to infantry arm.

16. Cadet William I. Westerveldt, vice Koehler, promoted.

19. Cadet Frederick L. Buck, vice Brady, promoted.

20. Cadet Jay P. Hopkins, vice Goodnow, transferred to infantry arm.

22. Cadet Leroy T. Hillman, vice Applewhite, promoted.

23. Cadet Upton Birnie, jr., vice Carmichael, promoted.

24. Cadet Archibald H. Sunderland, vice Bishop, promoted.

25. Cadet Clarence Deems, jr., vice Boutelle, killed in action.

26. Cadet Raymond H. Fenner, vice Moses, promoted.

28. Cadet Charles L. J. Frohwitter, vice Whipple, transferred to infantry arm.

30. Cadet Edward P. Nones, vice Ashburn, promoted.

33. Cadet Clifford C. Carson, vice Bottoms, promoted.

50. Cadet John McManus, vice Newbill, promoted.

Cavalry arm.

10. Cadet Joseph A. Baer, vice Cavanaugh, promoted.

11. Cadet Frank O. Whitlock, vice Bigelow, promoted.

12. Cadet Charles F. Martin, vice Sills, promoted.

13. Cadet Robert E. Wood, vice Nissen, promoted.

14. Cadet Willis V. Morris, vice Hawkins, promoted.

18. Cadet Walter S. Grant, vice Parker, promoted.

21. Cadet Charles M. Wesson, vice Herron, promoted.

27. Cadet Morton C. Mumma, vice Dixon, promoted.

29. Cadet Frank P. Amos, vice Pritchard, promoted.

35. Cadet Julian A. Benjamin, vice Reisinger, resigned.

37. Cadet John Watson, vice Anderson, promoted.

38. Cadet Samuel R. Gleaves, vice Sievert, promoted.

41. Cadet Lewis S. Morey, vice Jervey, promoted.

43. Cadet James Goethe, vice Eltinge, promoted.

44. Cadet Robert F. Jackson, vice Christian, promoted.

45. Cadet Varlen D. Dixon, vice Howard, retired from active service.

46. Cadet Verne La S. Rockwell, vice Moses, promoted.

49. Cadet John W. Wilen, vice Stodter, promoted.

51. Cadet George B. Comly, vice Miller, promoted.

52. Cadet Augustine McIntyre (since transferred to artillery arm), vice Drake, promoted.

53. Cadet Charles G. Harvey, vice Saltzman, promoted.

54. Richard M. Thomas, vice Morrison, promoted.

Infantry arm.

17. Cadet Edwin G. Davis, vice Hassaurek, deceased.

31. Cadet Herman Glade, vice Foster, deceased.

32. Cadet Arthur P. S. Hyde (since transferred to artillery arm), vice Burr, promoted.

34. Cadet Harry E. Mitchell, vice Cheney, promoted.

36. Cadet Ernest E. Allen, vice Howland, promoted.

39. Cadet Frank S. Bowen, vice Parrott, promoted.

40. Cadet Fred C. Doyle, vice Ford, promoted.

42. Cadet James P. Robinson, vice Connor, promoted.

47. Cadet Pressley K. Brice, vice Watkins, promoted.

48. Cadet George T. Perkins, vice Brambila, promoted.

APPOINTMENTS IN THE ARMY.

ADJUTANT-GENERAL'S DEPARTMENT.

Capt. Henry P. McCain, Fourteenth Infantry, to be assistant adjutant-general with the rank of major, November 9, 1900, vice Barry, promoted.

Capt. James T. Kerr, Seventeenth Infantry, to be assistant adjutant-general with the rank of major, November 12, 1900, vice Heistand, promoted.

INSPECTOR-GENERAL'S DEPARTMENT.

Capt. John L. Chamberlain, First Artillery, to be inspector-general with the rank of major, November 10, 1900, vice Heyl, promoted.

QUARTERMASTER'S DEPARTMENT.

First Lieut. David S. Stanley, Twenty-second Infantry, to be assistant quartermaster with the rank of captain, August 13, 1900, vice Miller, promoted.

First Lieut. Richmond McA. Scholfield, Fifth Cavalry, to be assistant quartermaster with the rank of captain, November 1, 1900, vice Jones, promoted.

SUBSISTENCE DEPARTMENT.

First Lieut. William H. Bean, Second Cavalry, to be commissary of subsistence with the rank of captain, July 31, 1900, vice Little, deceased.

First Lieut. William H. Hart, Seventh Cavalry, to be commissary of subsistence with the rank of captain, November 10, 1900, vice Peterson, deceased.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

Walter D. Webb, of New York, captain and assistant surgeon, Forty-third Infantry, United States Volunteers, October 3, 1900, vice Westnedge, deceased.

George W. Mathews, of Massachusetts, captain and assistant surgeon, Thirty-sixth Infantry, United States Volunteers, October 3, 1900, vice Clendenin, deceased.

Maj. A. W. Shockley, of Kansas, late surgeon, Seventh United States Volunteer Infantry, October 3, 1900, vice Ware, wholly retired.

Robert N. Winn, of Kentucky, late captain and assistant surgeon, Second Kentucky Volunteer Infantry, October 3, 1900, vice Johnson, promoted.

Theodore C. Lyster, of Michigan, October 3, 1900, vice Owen, promoted.

Sanford H. Wadhams, of Connecticut, October 3, 1900, vice Egan, promoted.

Chandler P. Robbins, of Kentucky, October 3, 1900, vice Higley, deceased.

Thomas L. Rhoads, of Pennsylvania, October 3, 1900, vice Wakeman, promoted.

Harry L. Gilchrist, of Ohio, October 3, 1900, vice Heyl, resigned.

William J. L. Lyster, of Michigan, October 3, 1900, vice Everts, retired from active service.

Elbert E. Persons, of Illinois, October 3, 1900, vice Stephenson, promoted.

William N. Bispham, of Maryland, October 3, 1900, vice Rash, whose commission expired by constitutional limitation.

Edward F. Geddings, of South Carolina, October 9, 1900, vice Phillips, promoted.

Howard W. Beal, of Maine, November 1, 1900, vice Pilcher, retired from active service.

SIGNAL CORPS.

First Lieut. Edgar Russel, Sixth Artillery, to be first lieutenant, August 30, 1900, vice Thompson, promoted.

TO BE CAPTAIN OF INFANTRY.

George W. Kirkman, of Illinois, late captain, Twelfth Infantry, United States Army, to be captain of infantry, with rank from July 19, 1899.

TO BE CAPTAIN IN SIGNAL CORPS.

First Lieut. Samuel Reber, to be captain, to date from July 1, 1900.

PROMOTIONS IN THE ARMY.

QUARTERMASTER'S DEPARTMENT.

Lieut. Col. John V. Furey, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel, August 12, 1900, vice Lee, retired from active service.

Lieut. Col. Edwin B. Atwood, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel, November 1, 1900, vice Scully, retired from active service.

Maj. Forrest H. Hathaway, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, August 12, 1900, vice Furey, promoted.

Maj. Joshua W. Jacobs, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, November 1, 1900, vice Atwood, promoted.

Capt. William H. Miller, assistant quartermaster, to be quartermaster with the rank of major, August 12, 1900, vice Hathaway, promoted.

Capt. Samuel R. Jones, assistant quartermaster, to be quartermaster with the rank of major, November 1, 1900, vice Jacobs, promoted.

MEDICAL DEPARTMENT.

Lieut. Col. Alfred A. Woodhull, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, October 8, 1900, vice Wright, deceased.

Maj. Alfred C. Girard, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, October 8, 1900, vice Woodhull, promoted.

Capt. John L. Phillips, assistant surgeon, to be surgeon with the rank of major, October 8, 1900, vice Girard, promoted.

CAVALRY ARM.

First Lieut. Herbert S. Whipple, Seventh Cavalry, to be captain, July 10, 1900, vice Mackay, Third Cavalry, retired from active service.

First Lieut. Charles W. Farber, Eighth Cavalry, to be captain, November 14, 1900, vice Lockwood, Fourth Cavalry, retired from active service.

Second Lieut. Stephen M. Kochersperger, Second Cavalry, to be first lieutenant, July 10, 1900, vice Whipple, Seventh Cavalry, promoted.

Second Lieut. Ola W. Bell, Third Cavalry, to be first lieutenant, November 14, 1900, vice Farber, Eighth Cavalry, promoted.

ARTILLERY ARM.

Lieut. Col. Tully McCrea, Fifth Artillery, to be colonel, July 15, 1900, vice Williston, Sixth Artillery, retired from active service.

Maj. John H. Calef, First Artillery (since retired), to be lieutenant-colonel, June 6, 1900, vice Field, Third Artillery, retired from active service.

Maj. John L. Tiernon, First Artillery, to be lieutenant-colonel, July 15, 1900, vice McCrea, Fifth Artillery, promoted.

Maj. James M. Lancaster, Fourth Artillery (since deceased), to be lieutenant-colonel, August 10, 1900, vice Calef, Third Artillery, retired from active service.

Maj. James M. Ingalls, Fifth Artillery, to be lieutenant-colonel, October 5, 1900, vice Lancaster, Third Artillery, deceased.

Capt. James O'Hara, Third Artillery, to be major, June 6, 1900, vice Calef, First Artillery, promoted.

Capt. Asher C. Taylor, Second Artillery, to be major, June 18, 1900, vice Fuger, Fourth Artillery, retired from active service.

Capt. Richard P. Strong, Fourth Artillery, to be major, July 15, 1900, vice Tiernon, First Artillery, promoted.

Capt. Henry W. Hubbell, First Artillery, to be major, August 10, 1900, vice Lancaster, Fourth Artillery, promoted.

Capt. William F. Stewart, Fourth Artillery, to be major, October 1, 1900, vice Scantling, Second Artillery, retired.

Capt. Anthony W. Vogdes, Fifth Artillery, to be major, October 5, 1900, vice Ingalls, Fifth Artillery, promoted.

First Lieut. Elisha S. Benton, Seventh Artillery, to be captain, June 6, 1900, vice O'Hara, Third Artillery, promoted.

First Lieut. Harry L. Hawthorne, Sixth Artillery, to be captain, June 18, 1900, vice Taylor, Second Artillery, promoted.

First Lieut. Cornelius De W. Willcox, Seventh Artillery, to be captain, July 15, 1900, vice Strong, Fourth Artillery, promoted.

First Lieut. Arthur F. Curtis, Sixth Artillery, to be captain, August 10, 1900, vice Hubbell, First Artillery, promoted.

First Lieut. John D. Barrette, Seventh Artillery, to be captain, August 15, 1900, vice Reilly, Fifth Artillery, killed in action.

First Lieut. Charles F. Parker, Second Artillery, to be captain, October 1, 1900, vice Stewart, Fourth Artillery, promoted.

First Lieut. Elmer W. Hubbard, Seventh Artillery, to be captain, October 5, 1900, vice Vogdes, Fifth Artillery, promoted.

Second Lieut. Willard D. Newbill, Seventh Artillery, to be first lieutenant, April 8, 1900, vice Sturgis, Sixth Artillery, promoted.

Second Lieut. Harold E. Cloke, Third Artillery, to be first lieutenant, May 31, 1900, vice Hazzard, First Artillery, dropped as a deserter.

Second Lieut. Samuel C. Vestal, Seventh Artillery, to be first lieutenant, June 6, 1900, vice Benton, Seventh Artillery, promoted.

Second Lieut. Thomas H. R. McIntyre, Sixth Artillery, to be first lieutenant, June 18, 1900, vice Hawthorne, Sixth Artillery, promoted.

Second Lieut. Richard H. McMaster, Sixth Artillery, to be first lieutenant, July 15, 1900, vice Willcox, Seventh Artillery, promoted.

Second Lieut. Philip R. Ward, Seventh Artillery, to be first lieutenant, August 10, 1900, vice Curtis, Sixth Artillery, promoted.

Second Lieut. Manus McCloskey, Fifth Artillery, to be first lieutenant, August 15, 1900, vice Barrette, Seventh Artillery, promoted.

Second Lieut. John E. Stephens, Seventh Artillery, to be first lieutenant, September 4, 1900, vice Russel, Sixth Artillery, who vacates by appointment in Signal Corps.

Second Lieut. Thomas E. Merrill, First Artillery, to be first lieutenant, October 1, 1900, vice Parker, Second Artillery, promoted.

Second Lieut. George A. Nugent, Fourth Artillery, to be first lieutenant, October 5, 1900, vice Hubbard, Seventh Artillery, promoted.

INFANTRY ARM.

Lieut. Col. Charles F. Robe, Seventeenth Infantry, to be colonel, July 13, 1900, vice Liscum, Ninth Infantry, killed in action.

Maj. Alfred C. Markley, Twenty-fourth Infantry, to be lieutenant-colonel, June 9, 1900, vice Potter, Twenty-second Infantry, retired from active service.

Maj. Lyster M. O'Brien, Seventeenth Infantry, to be lieutenant-colonel, July 13, 1900, vice Robe, Seventeenth Infantry, promoted.

Maj. William Auman, Thirteenth Infantry, to be lieutenant-colonel, September 7, 1900, vice Clapp, Twenty-first Infantry, retired from active service.

Maj. Jesse M. Lee, Fifteenth Infantry, to be lieutenant-colonel, October 9, 1900, vice Brinkerhoff, Sixth Infantry, retired from active service.

Maj. James M. Miller, Twenty-second Infantry, to be lieutenant-colonel, November 13, 1900, vice Boyle, Nineteenth Infantry, retired from active service.

Capt. Edwin B. Bolton, Sixteenth Infantry, to be major, June 9, 1900, vice Markley, Twenty-fourth Infantry, promoted.

Capt. James S. Pettit, First Infantry, to be major, June 18, 1900, vice Edmunds, First Infantry, deceased.

Capt. Charles L. Hodges, Twenty-fifth Infantry, to be major, July 13, 1900, vice O'Brien, Seventeenth Infantry, promoted.

Capt. Robert H. R. Loughborough, Twenty-fifth Infantry, to be major, August 11, 1900, vice Whitney, Sixth Infantry, deceased.

Capt. John G. Ballance, Twenty-second Infantry, to be major, September 7, 1900, vice Auman, Thirteenth Infantry, promoted.

Capt. William J. Turner, Second Infantry, to be major, October 5, 1900, vice Kendrick, Seventh Infantry, retired from active service.

Capt. Frank Taylor, Eighth Infantry, to be major, October 9, 1900, vice Lee, Fifteenth Infantry, promoted.

Capt. Richard T. Yeatman, Third Infantry, to be major, November 13, 1900, vice Miller, Twenty-second Infantry, promoted.

First Lieut. Francis H. Schoeffel, Ninth Infantry, to be captain, April 18, 1900, vice O'Connor, Twenty-third Infantry, retired from active service.

First Lieut. William H. Bertsch, Fifteenth Infantry, to be captain, May 12, 1900, vice McCammon, Fourth Infantry, promoted.

First Lieut. Ross L. Bush, Twenty-fifth Infantry, to be captain, May 31, 1900, vice Greene, Twentieth Infantry, promoted.

First Lieut. Joseph L. Donovan, Sixteenth Infantry, to be captain, June 3, 1900, vice Godfrey, Twenty-second Infantry, killed in action.

First Lieut. John B. Bennet, Sixth Infantry, to be captain, June 9, 1900, vice Bolton, Sixteenth Infantry, promoted.

First Lieut. Melville S. Jarvis, Fifth Infantry, to be captain, June 18, 1900, vice Pettit, First Infantry, promoted.

First Lieut. John W. Heavey, Eleventh Infantry, to be captain, July 9, 1900, vice Nickerson, Seventeenth Infantry, retired from active service.

First Lieut. Harry J. Hirsch, Fourth Infantry, to be captain, July 13, 1900, vice Hodges, Twenty-fifth Infantry, promoted.

First Lieut. Joseph Frazier, Ninth Infantry, to be captain, August 11, 1900, vice Loughborough, Twenty-fifth Infantry, promoted.

First Lieut. Robert L. Hamilton, Fifth Infantry, to be captain, September 7, 1900, vice Ballance, Twenty-second Infantry, promoted.

First Lieut. La Roy S. Upton, Fifth Infantry, to be captain, September 15, 1900, vice McQuiston, Fourth Infantry, deceased.

First Lieut. Harry A. Smith, Fifth Infantry, to be captain, September 17, 1900, vice Mitchell, Fifteenth Infantry, killed in action.

Second Lieut. Clifton C. Kinney, Thirteenth Infantry, to be first lieutenant, April 18, 1900, vice Schoeffel, Ninth Infantry, promoted.

Second Lieut. Woodson Hocker, Eleventh Infantry, to be first lieutenant, May 12, 1900, vice Bertsch, Fifteenth Infantry, promoted.

Second Lieut. Juan A. Boyle, Twenty-first Infantry, to be first lieutenant, May 25, 1900, vice Stetson, Third Infantry, retired from active service.

Second Lieut. James S. Young, jr., Tenth Infantry, to be first lieutenant, May 31, 1900, vice Bush, Twenty-fifth Infantry, promoted.

Second Lieut. William M. Parker, First Infantry, to be first lieutenant, June 3, 1900, vice Donovan, Sixteenth Infantry, promoted.

Second Lieut. Charles B. Clark, Twenty-third Infantry, to be first lieutenant, June 9, 1900, vice Bennet, Sixth Infantry, promoted.

Second Lieut. Irvin L. Hunt, Nineteenth Infantry, to be first lieutenant, June 18, 1900, vice Jarvis, Fifth Infantry, promoted.

Second Lieut. George S. Simonds, Twenty-second Infantry, to be first lieutenant, July 2, 1900, vice Geiger, Fourteenth Infantry, deceased.

Second Lieut. Louis S. D. Rucker, jr., Sixteenth Infantry, to be first lieutenant, July 9, 1900, vice Heavey, Eleventh Infantry, promoted.

Second Lieut. Robert E. Frith, Twenty-fourth Infantry, to be first lieutenant, July 13, 1900, vice Hirsch, Fourth Infantry, promoted.

Second Lieut. Llewellyn N. Bushfield, Seventeenth Infantry, to be first lieutenant, July 29, 1900, vice Spurgin, Twenty-first Infantry, deceased.

Second Lieut. Samuel T. Ansell, Eleventh Infantry, to be first lieutenant, August 11, 1900, vice Frazier, Ninth Infantry, promoted.

Second Lieut. Robert H. Peck, Tenth Infantry, to be first lieutenant, August 13, 1900, vice Murphy, Twenty-fourth Infantry, killed in action.

Second Lieut. Halsey E. Yates, Fifth Infantry, to be first lieutenant, September 7, 1900, vice Hamilton, Fifth Infantry, promoted.

Second Lieut. Clement A. Trott, Seventh Infantry, to be first lieutenant, September 15, 1900, vice Upton, Fifth Infantry, promoted.

Second Lieut. Wilson B. Burt, Eighth Infantry, to be first lieutenant, September 17, 1900, vice Smith, Fifth Infantry, promoted.

Second Lieut. Walter S. Brown, Third Infantry, to be first lieutenant, September 20, 1900, vice Hill, Fourth Infantry, resigned.

Second Lieut. Josiah C. Minus, Twentieth Infantry, to be first lieutenant, September 22, 1900, vice Meade, Twenty-first Infantry, deceased.

PROMOTIONS IN THE VOLUNTEER ARMY.

ELEVENTH CAVALRY.

First Lieut. George W. Winterburn, to be captain, June 7, 1900, vice England, whose commission expired by constitutional limitation.

Second Lieut. George Curry, to be first lieutenant, June 7, 1900, vice Winterburn, promoted.

SQUADRON PHILIPPINE CAVALRY.

First Lieut. David H. Biddle, to be captain, July 2, 1900, vice Geiger, deceased.

Second Lieut. Frank I. Otis, to be first lieutenant, July 2, 1900, vice Biddle, promoted.

TWENTY-SEVENTH INFANTRY.

Second Lieut. Daniel Hyman, to be first lieutenant, September 10, 1900, vice O'Flaherty, honorably discharged.

Second Lieut. Thomas MacAllister Knox, to be first lieutenant, September 15, 1900, vice Kennedy, honorably discharged.

Second Lieut. Matthew T. E. Ward, to be first lieutenant, September 15, 1900, vice Rodney, honorably discharged.

Second Lieut. Arthur L. McCoy, to be first lieutenant, September 30, 1900, vice Cassells, resigned.

TWENTY-EIGHTH INFANTRY.

First Lieut. John P. Teagarden, to be captain, August 28, 1900, vice Crenshaw, deceased.

Second Lieut. William H. Lyons, to be first lieutenant, August 28, 1900, vice Teagarden, promoted.

TWENTY-NINTH INFANTRY.

First Lieut. Edward Hill, to be captain, July 31, 1900, vice Whitman, resigned.

First Lieut. James Longstreet, jr., to be captain, September 3, 1900, vice Rash, resigned.

Second Lieut. Vincent M. Elmore, jr., to be first lieutenant, July 31, 1900, vice Hill, promoted.

Second Lieut. Thomas S. Moorman, jr., to be first lieutenant, September 3, 1900, vice Longstreet, promoted.

THIRTIETH INFANTRY.

Second Lieut. Guilford S. Garber, to be first lieutenant, June 30, 1900, vice McMillan, honorably discharged.

THIRTY-FIRST INFANTRY.

First Lieut. Kent Browning, to be captain, August 10, 1900, vice Gillenwater, honorably discharged.

Second Lieut. Henry Gibbins, to be first lieutenant, August 10, 1900, vice Browning, promoted.

THIRTY-SECOND INFANTRY.

First Lieut. George S. Ralston, to be captain, September 1, 1900, vice Summerlin, resigned.

Second Lieut. Benjamin R. Wade, to be first lieutenant, June 6, 1900, vice Weaver, resigned.

Second Lieut. Archie Miller, to be first lieutenant, September 1, 1900, vice Ralston, promoted.

THIRTY-THIRD INFANTRY.

Lieut. Col. Marcus D. Cronin, to be colonel, June 9, 1900, vice Hare, who vacates by acceptance of appointment as brigadier-general of volunteers.

Maj. Peyton C. March, to be lieutenant-colonel, June 9, 1900, vice Cronin, promoted.

Capt. Edmund G. Shields, to be major, June 9, 1900, vice March, promoted.

First Lieut. Edgar N. Coffey, to be captain, June 9, 1900, vice Shields, promoted.

Second Lieut. Henry J. McKenney, to be first lieutenant, June 9, 1900, vice Coffey, promoted.

Second Lieut. Donald C. McClelland, to be first lieutenant, October 6, 1900, vice Hall, honorably discharged.

Second Lieut. Hugh Williams, to be first lieutenant, October 24, 1900, vice Febiger, killed in action.

THIRTY-FOURTH INFANTRY.

First Lieut. Harry W. Newton, to be captain, July 25, 1900, vice Miller, resigned.

First Lieut. Harry C. Barnes, to be captain, November 15, 1900, vice Calverley, honorably discharged.

Second Lieut. Charles P. Hirst, to be first lieutenant, July 25, 1900, vice Newton, promoted.

Second Lieut. Cleveland C. Lansing, to be first lieutenant, September 10, 1900, vice Montgomery, resigned.

Second Lieut. John T. Dunn, to be first lieutenant, November 15, 1900, vice Barnes, promoted.

THIRTY-FIFTH INFANTRY.

Second Lieut. Samuel M. English, to be first lieutenant, August 20, 1900, vice Thomas, resigned.

THIRTY-NINTH INFANTRY.

First Lieut. Frank Maloney, to be captain, August 13, 1900, vice Murphy, killed in action.

Second Lieut. Edward H. White, to be first lieutenant, August 13, 1900, vice Maloney, promoted.

FORTIETH INFANTRY.

Second Lieut. John M. Kelso, jr., to be first lieutenant, July 15, 1900, vice Crotty, honorably discharged.

FORTY-SECOND INFANTRY.

Second Lieut. R. Howard Williams, to be first lieutenant, July 7, 1900, vice Webster, deceased.

FORTY-THIRD INFANTRY.

Second Lieut. Morton L. Avery, to be first lieutenant, May 11, 1900, vice Evens, killed in action.

Second Lieut. Robert Sterrett, to be first lieutenant, June 13, 1900, vice Cilley, deceased.

Second Lieut. William H. Burt, to be first lieutenant, September 15, 1900, vice Power, resigned.

FORTY-FOURTH INFANTRY.

Second Lieut. Arthur J. Cadden, to be first lieutenant, October 30, 1900, vice Koontz, killed in action.

Second Lieut. Frederick L. Dengler, to be first lieutenant, November 1, 1900, vice Levens, honorably discharged.

FORTY-FIFTH INFANTRY.

First Lieut. Willard M. Flynn, to be captain, August 17, 1900, vice Brown, killed in action.

Second Lieut. Roy I. Taylor, to be first lieutenant, June 10, 1900, vice Brown (since deceased), promoted.

Second Lieut. William E. W. MacKinlay, to be first lieutenant, August 17, 1900, vice Flynn, promoted.

FORTY-SIXTH INFANTRY.

Second Lieut. Moses R. Ross, to be first lieutenant, August 31, 1900, vice Ely, honorably discharged.

FORTY-SEVENTH INFANTRY.

First Lieut. Leonard S. Goddard, to be captain, July 6, 1900, vice Huston, deceased.

First Lieut. Thomas R. J. Campbell, to be captain, August 28, 1900, vice Bentley, deceased.

Second Lieut. William R. Harrison, to be first lieutenant, July 6, 1900, vice Goddard, promoted.

Second Lieut. Charles L. Lanham, to be first lieutenant, August 10, 1900, vice Dyer, resigned.

Second Lieut. Walter T. Slack, to be first lieutenant, August 28, 1900, vice Campbell, promoted.

FORTY-NINTH INFANTRY.

First Lieut. David J. Gilmer, to be captain, October 6, 1900, vice Jefferson, resigned.

Second Lieut. Alfred M. Ray, to be first lieutenant, October 3, 1900, vice Blakeman, deceased.

Second Lieut. William McBryar, to be first lieutenant, October 6, 1900, vice Gilmer, promoted.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Augustine McIntyre, from the cavalry arm to the artillery arm, July 11, 1900, with rank from June 13, 1900.

Second Lieut. Arthur P. S. Hyde, from the infantry arm to the artillery arm, July 11, 1900, with rank from June 13, 1900.

Second Lieut. Albert N. McClure, from the infantry arm to the cavalry arm, June 15, 1900, with rank from February 16, 1899.

Second Lieut. Fred W. Hersher, from the infantry arm to the cavalry arm, June 30, 1900, with rank from June 14, 1900.

Second Lieut. Robert M. Ellicott, from the infantry arm to the artillery arm, August 25, 1900, with rank from July 25, 1900.

PROMOTIONS IN THE VOLUNTEER ARMY.

TO BE SURGEONS WITH THE RANK OF MAJOR.

Capt. Frank E. Artaud, assistant surgeon, Forty-fifth Infantry, United States Volunteers, July 9, 1900, vice Ireland, Forty-fifth Infantry, transferred to volunteer staff as surgeon with the rank of major.

Capt. Seaton Norman, assistant surgeon, Thirty-ninth Infantry, United States Volunteers, October 30, 1900, vice Wales, Thirty-ninth Infantry, honorably discharged.

TO BE ASSISTANT SURGEONS WITH THE RANK OF CAPTAIN.

First Lieut. William C. Berlin, assistant surgeon, Forty-fifth Infantry, United States Volunteers, July 9, 1900, vice Artaud, Forty-fifth Infantry, promoted.

First Lieut. Edward G. Beeson, assistant surgeon, Thirty-ninth Infantry, United States Volunteers, October 30, 1900, vice Norman, Thirty-ninth Infantry, promoted.

First Lieut. Isaac W. Brewer, assistant surgeon, Thirty-sixth Infantry, United States Volunteers, October 12, 1900, vice Mathews, Thirty-sixth Infantry, honorably discharged.

First Lieut. Dudley W. Welch, assistant surgeon, Forty-third Infantry, United States Volunteers, November 12, 1900, vice Webb, Forty-third Infantry, honorably discharged.

APPOINTMENTS IN THE VOLUNTEER ARMY.

GENERAL OFFICERS.

To be major-generals.

Brig. Gen. Loyd Wheaton, United States Volunteers (colonel Seventh Infantry, United States Army), June 18, 1900, vice Otis, who vacates by appointment as major-general, United States Army.

Brig. Gen. Adna R. Chaffee, United States Volunteers (colonel Eighth Cavalry, United States Army), July 19, 1900, to fill an original vacancy.

To be brigadier-general.

Lieut. Col. Thomas H. Barry, assistant adjutant-general, United States Army, June 18, 1900, vice Wheeler, who vacates by appointment as brigadier-general, United States Army.

To be inspector-general with the rank of lieutenant-colonel.

Maj. Parker W. West, inspector-general, United States Volunteers (captain, Fifth Cavalry, United States Army), December 1, 1900, vice Harrison, honorably discharged.

STAFF OFFICERS.

To be quartermasters with the rank of major.

Capt. William W. Robinson, jr., assistant quartermaster, United States Army, August 14, 1900, vice Miller, who vacates by promotion to quartermaster, with the rank of major, United States Army.

Capt. Joseph C. Byron, assistant quartermaster, United States Army, September 27, 1900, vice Cartwright, deceased.

To be assistant quartermasters with the rank of captain.

First Lieut. George C. Barnhardt, Sixth Cavalry, United States Army, July 27, 1900, vice Johnson, resigned.

First Lieut. Pegram Whitworth, Eighteenth Infantry, United States Army, October 12, 1900, to fill a vacancy in the Volunteer Army created under the first proviso to said section 14, by the appointment of Byron, assistant quartermaster, United States Army, to be quartermaster, United States Volunteers.

First Lieut. William C. Davis, Sixth Artillery, United States Army, October 29, 1900, vice Brookfield, resigned.

To be commissary of subsistence with the rank of major.

Capt. Albert D. Niskern, commissary of subsistence, United States Army, October 19, 1900, vice Peterson, deceased.

To be assistant commissaries of subsistence with the rank of captain.

First Lieut. John E. Woodward, Sixteenth Infantry, United States Army, June 15, 1900, vice Deming, dismissed.

First Lieut. Frank B. Watson, Nineteenth Infantry, United States Army, August 31, 1900, vice Milliken, resigned.

To be surgeons with the rank of major.

Maj. Merritte W. Ireland, surgeon, Forty-fifth Infantry, United States Volunteers, June 30, 1900, vice Crosby, honorably discharged. (This is a transfer from line to staff.)

Capt. John S. Kulp, assistant surgeon, United States Army, June 11, 1900, vice Shiels, resigned.

Capt. Frederick P. Reynolds, assistant surgeon, United States Army, June 16, 1900, vice Keefer, resigned.

Capt. William F. Lewis, assistant surgeon, United States Army, October 1, 1900, vice Ducker, honorably discharged.

Capt. Alexander N. Stark, assistant surgeon, United States Army, November 7, 1900, vice Balch, honorably discharged.

Capt. Paul Shillock, assistant surgeon, United States Army, November 2, 1900, vice Davis, deceased.

Capt. Powell C. Fauntleroy, assistant surgeon, United States Army, November 30, 1900, vice Echeverria, honorably discharged.

First Lieut. George W. Mathews, assistant surgeon, United States Army, November 30, 1900, vice Matthews, honorably discharged.

Capt. William L. Kneidler, assistant surgeon, United States Army, December 1, 1900, vice Potter, honorably discharged.

To be signal officer with the rank of captain.

First Lieut. Carl F. Hartmann, signal officer, United States Volunteers, July 1, 1900, vice Reber, who vacates by promotion to captain, Signal Corps, United States Army.

To be signal officer with the rank of first lieutenant.

Second Lieut. Alfred T. Clifton, signal officer, United States Volunteers, July 1, 1900, vice Hartmann, appointed captain.

Second Lieut. William W. Colt, signal officer, United States Volunteers, August 31, 1900, vice Talbott, resigned.

To be signal officers with the rank of second lieutenant.

First-Class Sergt. John T. Sayles, Signal Corps, United States Army, June 8, 1900, vice Davies, appointed first lieutenant.

First-Class Sergt. Charles O. Hastings, Signal Corps, United States Army, June 8, 1900, vice Mitchell, appointed first lieutenant.
First-Class Sergt. Burt E. Grabo, Signal Corps, United States Army, June 8, 1900, vice Wallace, appointed first lieutenant.

First-Class Sergt. Magnus Nordquist, Signal Corps, United States Army, June 8, 1900, vice Cunningham, appointed first lieutenant.
First-Class Sergt. Otto B. Grimm, Signal Corps, United States Army, June 8, 1900, vice Rickard, appointed first lieutenant.

First-Class Sergt. Charles E. Booth, Signal Corps, United States Army, June 8, 1900, vice Jones, appointed first lieutenant.

First-Class Sergt. Henry S. Hathaway, Signal Corps, United States Army, June 8, 1900, vice Gibbs, appointed first lieutenant.

First-Class Sergt. Peter Bartsch, Signal Corps, United States Army, June 8, 1900, vice Shepherd, appointed first lieutenant.

First-Class Sergt. Rush P. Wheat, Signal Corps, United States Army, June 8, 1900, vice Stamford, appointed first lieutenant.

First-Class Sergt. Clifton R. Berry, Signal Corps, United States Army, June 8, 1900, vice Rogan, appointed first lieutenant.

First-Class Sergt. Earle W. Binkley, Signal Corps, United States Army, September 1, 1900, vice Colt, appointed first lieutenant.

First-Class Sergt. Harry W. Capron, Signal Corps, United States Army, September 8, 1900, to fill a vacancy in the Volunteer Army created under the first proviso to said section 14 by the transfer of First Lieut. Edgar Russel (signal officer, with the rank of captain, United States Volunteers) from the Sixth Artillery to the Signal Corps, United States Army.

First-Class Sergt. Joseph Smith, Signal Corps, United States Army, November 28, 1900, vice Kennedy, deceased.

To be signal officers with the rank of first lieutenant.

Second Lieut. Charles B. Rogan, jr., signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. William Mitchell, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. Henry W. Stamford, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. Frederick M. Jones, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. Victor Shepherd, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. William E. Davies, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. Richard O. Rickard, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. Charles S. Wallace, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. George S. Gibbs, jr., signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

Second Lieut. Mack K. Cunningham, signal officer, United States Volunteers, June 8, 1900, to fill an original vacancy.

To be assistant surgeons with the rank of first lieutenant.

H. Brookman Wilkinson, of Alabama, acting assistant surgeon, United States Army, June 8, 1900, vice Edmonston, Thirty-fourth Infantry, deceased.

Charles Fitzpatrick, of Pennsylvania, acting assistant surgeon, United States Army, August 9, 1900, vice Berlin, Forty-fifth Infantry, promoted.

George S. Wallace, of Pennsylvania, acting assistant surgeon, United States Army, August 21, 1900, vice Griffith, Forty-second Infantry, resigned.

William J. Boyd, of New York, acting assistant surgeon, United States Army, September 6, 1900, vice Burchard, Fortieth Infantry, deceased.

Loren B. T. Johnson, of the District of Columbia, acting assistant surgeon, United States Army, November 19, 1900, vice Brewer, Thirty-sixth Infantry, promoted.

Harold L. Coffin, of Rhode Island, acting assistant surgeon, United States Army, November 19, 1900, vice Beeson, Thirty-ninth Infantry, promoted.

Laurel B. Sandall, of Michigan, acting assistant surgeon, United States Army, November 19, 1900, vice Welch, Forty-third Infantry, promoted.

George B. Lawrason, of Louisiana, acting assistant surgeon, United States Army, November 19, 1900, vice Stuart, Eleventh Cavalry, deceased.

ELEVENTH CAVALRY.

Q. M. Sergt. Thomas H. Jennings, Troop B, Eleventh Cavalry, United States Volunteers, to be second lieutenant, July 30, 1900, vice Quinlan, vacated by appointment as first lieutenant, Squadron Philippine Cavalry.

First Sergt. Carl C. Jones, Troop L, Eleventh Cavalry, United States Volunteers, to be second lieutenant, July 30, 1900, vice Ballard, resigned.

First Sergt. Frank M. Gaskill, Troop A, Eleventh Cavalry, United States Volunteers, to be second lieutenant, September 8, 1900, vice Curry, promoted.

SQUADRON PHILIPPINE CAVALRY.

Second Lieut. Frank T. McNarney, Thirty-sixth Infantry, United States Volunteers, to be first lieutenant, Squadron Philippine Cavalry, June 15, 1900, to fill an original vacancy.

Second Lieut. Frank I. Otis, Thirty-fifth Infantry, United States Volunteers, to be second lieutenant, Squadron Philippine Cavalry, June 15, 1900, to fill an original vacancy.

Sergt. Clarence M. Condon, Battery G, Third Artillery, United States Army, to be second lieutenant, Squadron Philippine Cavalry, June 15, 1900, to fill an original vacancy.

First Sergt. Boss Reese, Company D, Twenty-ninth Infantry, United States Volunteers, to be second lieutenant, Squadron Philippine Cavalry, June 15, 1900, to fill an original vacancy.

Sergt. Edward B. Howell, Company A, Twenty-ninth Infantry, United States Volunteers, to be second lieutenant, Squadron Philippine Cavalry, June 15, 1900, to fill an original vacancy.

Corpl. Robert M. Barton, Company B, Twenty-first Infantry, United States Army, to be second lieutenant, Squadron Philippine Cavalry, October 1, 1900, vice Williams, vacated by appointment as second lieutenant, United States Army.

TWENTY-SIXTH INFANTRY.

Battalion Sergt. Maj. Earl C. Pierce, Twenty-sixth Infantry, United States Volunteers, to be second lieutenant, September 11, 1900, vice Fernald, drowned.

Sergt. Josiah H. Byerley, Company F, Twenty-sixth Infantry, United States Volunteers, to be second lieutenant, October 5, 1900, vice Wagner, killed in action.

TWENTY-SEVENTH INFANTRY.

Battalion Sergt. Maj. Allen T. Crockett, Twenty-seventh Infantry, United States Volunteers, to be second lieutenant, June 25, 1900, vice Vernon, promoted.

First Sergt. James G. Taylor, Company E, Twenty-seventh Infantry, United States Volunteers, to be second lieutenant, August 20, 1900, vice Oliver, resigned.

Battalion Sergt. Maj. Charles Schneider, jr., Twenty-seventh Infantry, United States Volunteers, to be second lieutenant, September 15, 1900, vice Hyman, promoted.

First Sergt. Harry F. Smith, Company B, Twenty-seventh Infantry, United States Volunteers, to be second lieutenant, September 24, 1900, vice Knox, promoted.

First Sergt. Alfred J. Booth, Company H, Twenty-seventh Infantry, United States Volunteers, to be second lieutenant, September 24, 1900, vice Ward, promoted.

First Sergt. Charles B. Baker, Company I, Twenty-seventh Infantry, United States Volunteers, to be second lieutenant, October 15, 1900, vice McCoy, promoted.

TWENTY-EIGHTH INFANTRY.

Battalion Sergt. Maj. John F. Bishop, Twenty-eighth Infantry, United States Volunteers, to be second lieutenant, August 4, 1900, vice Newhall, honorably discharged.

Battalion Sergt. Maj. James M. Grey, Twenty-eighth Infantry, United States Volunteers, to be second lieutenant, September 1, 1900, vice Lyons, promoted.

Battalion Sergt. Maj. Anton H. Schroeter, Twenty-eighth Infantry, United States Volunteers, to be second lieutenant, October 12, 1900, vice Danner, deceased.

TWENTY-NINTH INFANTRY.

Sergt. Maj. Hugh S. Brown, Twenty-ninth Infantry, United States Volunteers, to be second lieutenant, September 14, 1900, vice Elmore, promoted.

Battalion Sergt. Maj. William E. Persons, Twenty-ninth Infantry, United States Volunteers, to be second lieutenant, October 15, 1900, vice Moorman, promoted.

THIRTIETH INFANTRY.

Sergt. Maj. William R. Downey, Thirtieth Infantry, United States Volunteers, to be second lieutenant, August 4, 1900, vice Garber, promoted.

Com. Sergt. William E. Twhight, Thirtieth Infantry, United States Volunteers, to be second lieutenant, November 6, 1900, vice Boyle, resigned.

THIRTY-FIRST INFANTRY.

First Sergt. Curtis G. Rorebeck, Company A, Thirty-first Infantry, United States Volunteers, to be second lieutenant, June 28, 1900, vice Twyman, promoted.

Sergt. James Totten, Company A, Thirty-first Infantry, United States Volunteers, to be second lieutenant, September 8, 1900, vice Gibbins, promoted.

THIRTY-SECOND INFANTRY.

First Sergt. John Ryan, Company I, Thirty-second Infantry, United States Volunteers, to be second lieutenant, July 12, 1900, vice Wade, promoted.

Battalion Sergt. Maj. Edward C. Wells, Thirty-second Infantry, United States Volunteers, to be second lieutenant, September 4, 1900, vice Ballard, honorably discharged.

Corpl. Junius I. Boyle, Company L, Thirty-second Infantry, United States Volunteers, to be second lieutenant, September 5, 1900, vice Miller, promoted.

THIRTY-THIRD INFANTRY.

Sergt. Maj. Albert E. Gebert, Thirty-third Infantry, United States Volunteers, to be second lieutenant, June 16, 1900, vice McKenney, promoted.

Sergt. Maj. Edward G. McDougall, Thirty-third Infantry, United States Volunteers, to be second lieutenant, October 15, 1900, vice McClelland, promoted.

First Sergt. Robert F. Tate, Company A, Thirty-third Infantry, United States Volunteers, to be second lieutenant, November 6, 1900, vice Jackson, honorably discharged.

Battalion Sergt. Maj. Sebring C. Megill, Thirty-third Infantry, United States Volunteers, to be second lieutenant, November 28, 1900, vice Williams, promoted.

THIRTY-FOURTH INFANTRY.

First Sergt. William M. Milne, Company K, Thirty-fourth Infantry, United States Volunteers, to be second lieutenant, August 10, 1900, vice Hirst, promoted.

Sergt. John N. Currie, Company C, Thirty-fourth Infantry, United States Volunteers, to be second lieutenant, October 3, 1900, vice Lansing, promoted.

THIRTY-FIFTH INFANTRY.

Sergt. Maj. Bernard Goss, Thirty-fifth Infantry, United States Volunteers, to be second lieutenant, July 7, 1900, vice Otis, vacated by appointment as second lieutenant, Squadron Philippine Cavalry.

Hosp. Steward John F. Newport, Thirty-fifth Infantry, United States Volunteers, to be second lieutenant, August 28, 1900, vice English, promoted.

THIRTY-SIXTH INFANTRY.

Com. Sergt. George K. Wilson, Thirty-sixth Infantry, United States Volunteers, to be second lieutenant, June 25, 1900, vice Bidle, vacated by appointment as first lieutenant, Squadron Philippine Cavalry.

Battalion Sergt. Maj. John A. Brown, Thirty-sixth Infantry, United States Volunteers, to be second lieutenant, June 25, 1900, vice Gwynne, promoted.

Hosp. Steward Frank L. Hemsted, Thirty-sixth Infantry, United States Volunteers, to be second lieutenant, August 4, 1900, vice McNarney, vacated by appointment as first lieutenant, Squadron Philippine Cavalry.

Sergt. Maj. Victor J. Bergstrom, Thirty-sixth Infantry, United States Volunteers, to be second lieutenant, August 20, 1900, vice Young, resigned.

First Sergt. Allen P. Norton, Company E, Thirty-sixth Infantry, United States Volunteers, to be second lieutenant, September 27, 1900, vice Mann, resigned.

THIRTY-SEVENTH INFANTRY.

First Sergt. Thomas Embry, Company C, Thirty-seventh Infantry, United States Volunteers, to be second lieutenant, June 25, 1900, vice Baskette, promoted.

First Sergt. Harry E. Potter, Company A, Thirty-seventh Infantry, United States Volunteers, to be second lieutenant, August 20, 1900, vice Fuller, resigned.

Battalion Sergt. Maj. James W. McIntyre, Thirty-seventh Infantry, United States Volunteers, to be second lieutenant, October 2, 1900, vice Peck, resigned.

THIRTY-NINTH INFANTRY.

Sergt. Fred Cooke, Company K, Thirty-ninth Infantry, United States Volunteers, to be second lieutenant, August 27, 1900, vice White, promoted.

First Sergt. Robert B. McConnell, Company D, Thirty-ninth Infantry, United States Volunteers, to be second lieutenant, September 20, 1900, vice Mohr, resigned.

FORTIETH INFANTRY.

Sergt. Frank R. Weeks, Company F, Fortieth Infantry, United States Volunteers, to be second lieutenant, September 8, 1900, vice Kelso, promoted.

FORTY-FIRST INFANTRY.

Q. M. Sergt. Herbert G. Millar, Forty-first Infantry, United States Volunteers, to be second lieutenant, June 25, 1900, vice Towson, promoted.

FORTY-SECOND INFANTRY.

Sergt. Maj. Frank T. Allbright, Forty-second Infantry, United States Volunteers, to be second lieutenant, July 13, 1900, vice Williams, promoted.

FORTY-THIRD INFANTRY.

Sergt. Maj. Walter M. Lindsay, Forty-third Infantry, United States Volunteers, to be second lieutenant, July 13, 1900, vice Avery, promoted.

First Sergt. Louis B. Chandler, Company E, Forty-third Infan-

try, United States Volunteers, to be second lieutenant, July 12, 1900, vice Sterrett, promoted.

Sergt. Maj. George E. Steele, Forty-third Infantry, United States Volunteers, to be second lieutenant, October 12, 1900, vice Burt, promoted.

FORTY-FOURTH INFANTRY.

Com. Sergt. Elias J. Hincken, Forty-fourth Infantry, United States Volunteers, to be second lieutenant, November 1, 1900, vice Cadden, promoted.

Sergt. Maj. Leonard H. Cook, Forty-fourth Infantry, United States Volunteers, to be second lieutenant, November 19, 1900, vice Dengler, promoted.

FORTY-FIFTH INFANTRY.

Sergt. Maj. Oscar Danielson, Forty-fifth Infantry, United States Volunteers, to be second lieutenant, June 16, 1900, vice Mender, whose commission expired by constitutional limitation.

Q. M. Sergt. George K. Armstrong, Forty-fifth Infantry, United States Volunteers, to be second lieutenant, June 21, 1900, vice Taylor, promoted.

First Sergt. George A. F. Trumbo, Company D, Forty-fifth Infantry, United States Volunteers, to be second lieutenant, September 5, 1900, vice MacKinlay, promoted.

Sergt. Fred D. Shiras, Company B, Forty-fifth Infantry, United States Volunteers, to be second lieutenant, September 24, 1900, vice Mobley, resigned.

Corpl. Charles E. Dority, Company E, Forty-fifth Infantry, United States Volunteers, to be second lieutenant, September 24, 1900, vice Sweitzer, honorably discharged.

FORTY-SIXTH INFANTRY.

Sergt. Maj. Gustavus J. Hasson, Forty-sixth Infantry, United States Volunteers, to be second lieutenant, September 5, 1900, vice Ross, promoted.

FORTY-SEVENTH INFANTRY.

Sergt. Maj. Edwin Burke, Forty-seventh Infantry, United States Volunteers, to be second lieutenant, July 23, 1900, vice Devine, honorably discharged. (First Sergt. Wiley J. Brickey, Company H, Forty-seventh Infantry, was nominated and confirmed for this vacancy, but died prior to the receipt by him of his commission.)

First Sergt. William P. Barber, jr., Company I, Forty-seventh Infantry, United States Volunteers, to be second lieutenant, July 24, 1900, vice Harrison, promoted.

First Sergt. Thomas T. Page, Company F, Forty-seventh Infantry, United States Volunteers, to be second lieutenant, August 11, 1900, vice Lanham, promoted.

First Sergt. Robert C. Q. Clark, Company L, Forty-seventh Infantry, United States Volunteers, to be second lieutenant, October 6, 1900, vice Slack, promoted.

FORTY-NINTH INFANTRY.

Capt. Robert Gage, Forty-ninth Infantry, United States Volunteers, to be major, June 15, 1900, vice Kirkman, dismissed.

Capt. William J. Vaiden, Thirty-eighth Infantry, United States Volunteers, to be captain in the Forty-ninth Infantry, United States Volunteers (by transfer), July 16, 1900, with rank from August 17, 1899, vice Gage, appointed major.

Sergt. Maj. George R. Grau, Twelfth Infantry, United States Army, to be first lieutenant, Forty-ninth Infantry, United States Volunteers, July 16, 1900, vice Gregg, dismissed.

Sergt. Maj. John R. Blackburn, Forty-ninth Infantry, United States Volunteers, to be second lieutenant, June 15, 1900, vice Johnson, dismissed.

Sergt. Maj. George A. Williams, Forty-ninth Infantry, United States Volunteers, to be second lieutenant, October 17, 1900, vice Ray, promoted.

Sergt. Maj. William E. Tyler, Forty-ninth Infantry, United States Volunteers, to be second lieutenant, November 6, 1900, vice McBryar, promoted.

PORTO RICO REGIMENT, UNITED STATES VOLUNTEER INFANTRY.

First Lieut. Charles H. Hamilton, Porto Rico Regiment, to be captain, November 5, 1900, vice Page, deceased.

Second Lieut. Blas Nadal, Porto Rico Regiment, to be first lieutenant, November 5, 1900, vice Hamilton, appointed captain.

William Ridgely Hay, of Illinois (late trumpeter, Troop H, Eighth Cavalry, United States Army), to be second lieutenant, November 5, 1900, vice Nadal, appointed first lieutenant.

FIRST ASSISTANT POSTMASTER-GENERAL.

William M. Johnson, of New Jersey, to be First Assistant Postmaster-General, to which office he was appointed during the last recess of the Senate, vice Perry S. Heath, resigned.

MEMBER CALIFORNIA DÉBRIS COMMISSION.

Col. Jared A. Smith, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission, provided for by the act of Congress, approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," vice Col.

Samuel M. Mansfield, Corps of Engineers, United States Army, relieved.

INDIAN AGENTS.

John R. Brennan, of Rapid City, S. Dak., who was appointed September 27, 1900, during the recess of the Senate, to be agent for the Indians of the Pine Ridge Agency in South Dakota, vice Lieut. Col. William H. Clapp, United States Army, relieved from duty as acting Indian agent.

Nimrod S. Walpole, of Pueblo, Colo., to be agent for the Indians of the Jicarilla Agency in New Mexico, being the agency known as the "Pueblo and Jicarilla" until its name was changed July 1, 1900, by the Indian appropriation act, and said Walpole being then, and since his original appointment of May 25, 1898, the agent thereof. This appointment is to complete the term of four years contemplated in said original appointment.

REGISTER OF LAND OFFICE.

Harry H. Myers, of Brinkley, Ark., who was appointed August 13, 1900, during the recess of the Senate, to be register of the land office at Little Rock, Ark., vice William G. Whipple, resigned.

MINERAL-LAND COMMISSIONERS.

William W. Alderson, of Bozeman, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Joseph C. Auld, of Glendive, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

George A. Black, of Fairhaven, Wash., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Idaho. (Reinstatement.)

Watson Boyle, of Washington, D. C., who was appointed September 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Miles Cavanaugh, of Helena, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Charles D. Curtis, of Helena, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana.

Thomas A. Davis, of Malad, Idaho, who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Idaho. (Reinstatement.)

John W. Eddy, of Helena, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana.

George W. Garrett, of Arkadelphia, Ark., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Jule M. Hartley, of Missoula, Mont., who was appointed September 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Edwin S. Hathaway, of Missoula, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Edwin A. Jones, of Ottumwa, Iowa, who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

Homer B. King, of Idaho, who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Idaho.

Peter T. Morris, of Bozeman, Mont., who was appointed August 1, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana. (Reinstatement.)

William H. Williams, of Cokedale, Mont., who was appointed August 23, 1900, during the recess of the Senate, to be a mineral-land commissioner in Montana.

PENSION AGENT.

Leslie Combs, of Lexington, Ky., who was appointed November 17, 1900, during the recess of the Senate, to be pension agent at Louisville, Ky., vice Daniel R. Collier, resigned. (Reinstatement.)

MEMBERS OF BOARD OF CHARITIES.

George W. Cook, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of one year from July 1, 1900, to which office he was appointed during the last recess of the Senate to fill an original vacancy.

John Joy Edson, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1900, to which office he was appointed during the last recess of the Senate to fill an original vacancy.

Charles P. Neill, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of two years from July 1, 1900, to which office he was appointed during the last recess of the Senate to fill an original vacancy.

Simon Wolf, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of two

years from July 1, 1900, to which office he was appointed during the last recess of the Senate to fill an original vacancy.

S. W. Woodward, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1900, to which office he was appointed during the last recess of the Senate to fill an original vacancy.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

José Guzman Benítez, of Ponce, to be a member of the executive council of Porto Rico, to which office he was appointed during the last recess of the Senate, vice José de Diego, resigned.

José Gomez Brioso, of Ponce, to be a member of the executive council of Porto Rico, to which office he was appointed during the last recess of the Senate, vice Manuel Camuñas, resigned.

SECOND SECRETARY OF EMBASSY.

H. Percival Dodge, of Massachusetts, to be second secretary of the embassy of the United States at Berlin, Germany, to which office he was appointed during the last recess of the Senate, vice George M. Fisk, resigned.

THIRD SECRETARIES OF EMBASSY.

Samuel Morrill, of Massachusetts, to be third secretary of the embassy of the United States at Berlin, Germany, to which office he was appointed during the last recess of the Senate, vice H. Percival Dodge, appointed second secretary of the embassy at Berlin.

Arthur Bailly Blanchard, of Louisiana, to be third secretary of the embassy of the United States at Paris, France, to which office he was appointed during the last recess of the Senate, vice Samuel Morrill, appointed third secretary of the embassy at Berlin.

SECRETARY OF LEGATION.

Huntington Wilson, of Illinois, to be secretary of the legation of the United States to Japan, to which office he was appointed during the last recess of the Senate, vice Joseph R. Herod, resigned.

SECOND SECRETARY OF LEGATION.

John Mackintosh Ferguson, of Pennsylvania, to be second secretary of the legation of the United States to Japan, to which office he was appointed during the last recess of the Senate, vice Huntington Wilson, appointed secretary of the legation.

CONSULTING ENGINEER.

Paul D. Cunningham, of Tennessee, to be consulting engineer of the United States on the International Boundary Commission, provided for in the convention with Mexico of March 1, 1889, to which office he was appointed during the last recess of the Senate, vice W. W. Follett, resigned.

SECRETARY OF CLAIMS COMMISSION.

John F. Baker, of New York, to be secretary on the part of the United States under the conventions for a claims commission concluded between the United States and Chile August 7, 1892, and May 24, 1897, to which office he was appointed during the last recess of the Senate, to fill a vacancy.

AGENT OF CLAIMS COMMISSION.

John H. Perry, of Connecticut, to be agent on the part of the United States under the conventions for a claims commission concluded between the United States and Chile August 7, 1892, and May 24, 1897, to which office he was appointed during the last recess of the Senate, to fill a vacancy.

CONSUL-GENERAL.

W. Irvin Shaw, of Pennsylvania, to be consul-general of the United States at Singapore, Straits Settlements, to which office he was appointed during the last recess of the Senate, vice Robert A. Moseley, jr., deceased.

CONSULS.

Orlando H. Baker, of Iowa, to be consul of the United States at Sydney, New South Wales, to which office he was appointed during the last recess of the Senate, vice George W. Bell, recalled.

Richard M. Bartleman, of Massachusetts, to be consul of the United States at Valencia, Spain, to which office he was appointed during the last recess of the Senate, vice Horace Lee Washington, appointed consul at Geneva.

Church Howe, of Nebraska, to be consul of the United States at Sheffield, England, to which office he was appointed during the last recess of the Senate, vice James M. Johnston, appointed consul at Palermo.

John C. Ingersoll, of Illinois, to be consul of the United States at Cartagena, Colombia, to which office he was appointed during the last recess of the Senate, vice Rafael Madrigal, resigned.

James Johnston, of New Jersey, to be consul of the United States at Palermo, Sicily, to which office he was appointed during the last recess of the Senate, vice Church Howe, appointed consul at Sheffield, England.

Thomas T. Prentiss, of Massachusetts, to be consul of the United

States at Martinique, West Indies, to which office he was appointed during the last recess of the Senate, vice Alonzo C. Yates, resigned.

Bradstreet S. Rairden, of Maine, to be consul of the United States at Batavia, Java, to which office he was appointed during the last recess of the Senate, vice Thomas T. Prentiss, appointed consul at Martinique.

Horace Lee Washington, of the District of Columbia, to be consul of the United States at Geneva, Switzerland, to which office he was appointed during the last recess of the Senate, vice Richard M. Bartleman, appointed consul at Valencia.

UNITED STATES ATTORNEY.

William G. Whipple, of Arkansas, to be attorney of the United States for the eastern district of Arkansas, vice Jacob Trieber, resigned. William G. Whipple was temporarily appointed to the above-named position July 26, 1900, during the recess of the Senate.

DISTRICT JUDGE.

Jacob Trieber, of Arkansas, to be United States district judge for the eastern district of Arkansas, vice John A. Williams, deceased. Jacob Trieber was temporarily appointed to the above-named position July 26, 1900, during the recess of the Senate.

UNITED STATES ATTORNEY.

James B. Holland, of Pennsylvania, to be attorney of the United States for the eastern district of Pennsylvania, vice James M. Beck, resigned. James B. Holland was temporarily appointed to the above-named position July 12, 1900, during the recess of the Senate.

ASSOCIATE JUSTICE.

Silas Alexander, of New Mexico, to be associate justice of the supreme court of the Territory of New Mexico, vice Charles A. Leland, resigned.

ASSISTANT ATTORNEY-GENERAL.

James M. Beck, of Pennsylvania, to be Assistant Attorney-General, vice James E. Boyd, resigned. James M. Beck was temporarily appointed to the above-named position July 12, 1900, during the recess of the Senate.

COMMISSIONER TO REVISE AND CODIFY CRIMINAL AND PENAL LAWS OF UNITED STATES.

William D. Bynum, of Indiana, to be commissioner to revise and codify the criminal and penal laws of the United States, vice D. B. Culberson, deceased. William D. Bynum was temporarily appointed to the above-named position June 13, 1900, during the recess of the Senate.

HOUSE OF REPRESENTATIVES.

TUESDAY, December 4, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

SWEARING IN OF A MEMBER.

Mr. HEPBURN. Mr. Speaker, I ask that the election case from the Tenth Iowa district be taken up.

The SPEAKER. The gentleman from Iowa [Mr. HEPBURN] asks to have the member-elect from the Tenth Iowa district sworn in.

Mr. BAILEY of Texas. Mr. Speaker, I do not object to Judge Conner being sworn in, but the certificate submitted yesterday ought to be withdrawn, the new and proper certificate ought to be filed in place thereof, and a statement of the facts put in the RECORD.

The SPEAKER. Does the gentleman from Iowa [Mr. HEPBURN] withdraw the credentials offered yesterday?

Mr. HEPBURN. I desire to withdraw those offered yesterday.

The SPEAKER. The credentials of yesterday being withdrawn, the following credentials of the governor of Iowa will be read to the House.

The Clerk read as follows:

United States of America, State of Iowa, executive department.

To Hon. JAMES P. CONNER, greeting:

It is hereby certified that at an election holden on the 6th day of November, 1900, you were elected to the office of Representative in Congress from the Tenth Congressional district of said State for the residue of the term ending the 3d day of March, 1901.

Given at the seat of government this 27th day of November, A. D. 1900.

[SEAL.]

By the governor:

G. L. DOBSON, Secretary of State.

Mr. BAILEY of Texas. Mr. Speaker, I desire to say to the gentleman from Iowa [Mr. HEPBURN] that I think the credentials addressed to the member-elect are not exactly in form, but that is immaterial. I think they should have been addressed to the

Speaker of the House, but I would not make any objection to that mere informality. I desire, however, that it should go into the record that a vacancy did exist, in view of the certificate presented yesterday, and to which I felt constrained to object.

Mr. HEPBURN. There can be no question about that. Whatever defect there may have been about the written resignation of Mr. DOLLIVER, it was cured by the fact that he immediately, after the date of that, accepted another office, the holding of which would be inconsistent with his remaining a Representative.

Mr. BAILEY of Texas. That is perfectly true.

Mr. HEPBURN. I am told that the acceptance was in writing and was filed with the governor long prior to the date of his ordering the election.

Mr. BAILEY of Texas. But until the gentleman's statement there was nothing in the record of the House to show that Mr. DOLLIVER had accepted an appointment which vacated his seat in the House, without reference to his resignation. If Mr. Conner's right to a seat depended upon Mr. DOLLIVER's resignation, he would not be entitled to admission as a member of the House, because no vacancy which authorized the governor of Iowa to order an election existed by reason of Mr. DOLLIVER's resignation, and the election would have been void; but in this case it happened that Mr. DOLLIVER accepted an appointment as Senator from the State of Iowa, and thus created a vacancy, to fill which the governor of Iowa was authorized to issue a writ of election. With that statement made a part of the record it is entirely proper that the member-elect should be sworn in.

The SPEAKER. The gentleman from Iowa will step forward and take the oath of office.

Thereupon Mr. Conner came forward, accompanied by Mr. HEPBURN, and the oath of office was administered to him by the Speaker.

RESIGNATION OF A MEMBER FROM CALIFORNIA.

The SPEAKER laid before the House the following resignation.

Hon. D. B. HENDERSON,
Speaker of the House of Representatives
of the United States, Dubuque, Iowa.

DEAR SIR: I beg to respectfully advise you that I have this day resigned as a Representative in the Fifty-sixth Congress of the United States from the Second Congressional district of the State of California.

Very respectfully, yours,

MARION DE VRIES.

WASHINGTON, D. C., August 20, A. D. 1900.

COMMITTEE CHANGES.

The SPEAKER also laid before the House the following resignation:

The honorable the SPEAKER HOUSE OF REPRESENTATIVES.

SIR: I hereby tender my resignation as a member of the Committee on Insular Affairs.

Very respectfully,

J. W. BABCOCK.

The SPEAKER. Without objection, this resignation will be approved. [After a pause.] The Chair hears no objection.

The SPEAKER made the following announcement of committee appointments:

EDWARD L. HAMILTON, of Michigan, to be a member of the Committee on Insular Affairs.

JESSE OVERSTREET, of Indiana, to be chairman of the Committee on Expenditures in the Department of Justice.

ROBERT W. DAVIS, of Florida, and ALLAN L. McDERMOTT, of New Jersey, to be members of the Committee on the Merchant Marine and Fisheries.

Mr. HULL. Mr. Speaker, I desire to make a statement, and then to make a request by unanimous consent. The Committee on Military Affairs has completed the consideration of the bill for the reorganization of the Army, and will make a report this afternoon. I desire to ask unanimous consent that the bill may be taken up for consideration to-morrow—

Mr. SULZER. Mr. Speaker, I object.

Mr. HULL. Before my request is submitted, I want to say that under the law as it now exists we must commence mustering out the present Army of the United States in the very near future. We should commence returning them to the United States in January, and there are at least four hundred stations in the Philippines from which troops could not be withdrawn without endangering the life of every man who has shown himself friendly to the United States Government. The necessity for immediate action on this subject is, in my judgment, apparent not only to every member of the House, but to every citizen of the United States. The importance for immediate action is imperative. I therefore ask unanimous consent that to-morrow, immediately after the reading of the Journal, the bill I have named may be taken up for consideration.

The SPEAKER. The gentleman from Iowa, the chairman of the Committee on Military Affairs, asks unanimous consent that the Army reorganization bill be taken up to-morrow immediately after the approval of the Journal. Is there objection?

Mr. SULZER. Mr. Speaker, I object. The gentleman can

have a rule brought in for the consideration of the bill if the House wants to expedite it.

The SPEAKER. The gentleman from New York [Mr. SULZER] objects.

MESSAGE FROM THE PRESIDENT.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries.

CENTENNIAL ANNIVERSARY—SEAT OF NATIONAL GOVERNMENT.

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, I report back without amendment the bill which I send to the desk, and ask for its immediate consideration. The bill (H. R. 12283) was read, as follows:

A bill (H. R. 12283) in relation to the celebration of the centennial anniversary of the establishment of the permanent seat of government in the District of Columbia.

Whereas the Senate and House of Representatives have each appointed a committee to act with other committees appointed respectively by the President of the United States and by the citizens of the District of Columbia (in a mass meeting assembled), which committees have in charge the celebration of the centennial anniversary of the establishment of the permanent seat of government in the District of Columbia; and

Whereas said committees have in joint session adopted a plan of celebration which has been submitted to the President of the United States and by him transmitted to Congress, such plan proposing as a feature of the celebration the holding by the Senate and House of Representatives, jointly, commemorative exercises in the Hall of the House of Representatives in the afternoon of the 12th day of December, 1900, in honor of the centennial anniversary of the first session of Congress held in the permanent Capitol: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the two Houses of Congress shall assemble in the Hall of the House of Representatives on the 12th day of December, 1900, at the hour of half past 3 o'clock p. m., and that addresses on subjects bearing on the celebration shall be made by Senators and Representatives to be chosen by the joint committee mentioned in the preamble; that the President and ex-Presidents of the United States, the heads of the several Executive Departments, the Justices of the Supreme Court, representatives of foreign governments accredited to this Government, the governors of the several States and Territories, the Commissioners of the District of Columbia, the Lieutenant-General of the Army and the Admiral of the Navy, officers of the Army and Navy who have received the thanks of Congress, and all persons who have the privilege of the floor either of the Senate or the House be, and are hereby, invited to be present on the occasion, and that the members of the committee from the country at large, the members of the said citizens' committee, and the chairmen and vice-chairmen of the committees of the national capital centennial are hereby granted the privilege of the floor of the House during the exercises; that the said citizens' committees shall issue cards of admission to such portions of the public galleries of the Hall of the House as may be set apart by the Doorkeeper of the House for that purpose. That the Speaker of the House shall call the assembly to order and the President pro tempore of the Senate shall act as presiding officer during the exercises. That the 12th day of December, 1900, be a legal holiday within the District of Columbia. That the Secretary of War and the Secretary of the Navy are authorized to deliver to the Architect of the Capitol, for the purpose of decorating the Capitol, its approaches, and the reviewing stands in the Capitol grounds for the occasion, such United States ensigns and flags, except battle flags, and such signal numbers and other flags as may be spared, the same to be delivered to the Architect immediately, and returned by him not later than the 31st day of December, 1900. That admission of the general public to the southern portion of the Capitol, including the Rotunda, on the said 12th day of December, 1900, shall be by card only, under the direction of the Doorkeeper of the House. That the Commissioners of the District of Columbia are authorized and directed, for the occasion, to make all reasonable regulations necessary to secure the preservation of public order and protection of life and property, and to grant authority or permits for the use of such thoroughfares and sidewalks in the city of Washington as may be necessary for parades, and that the citizens' committee are authorized to erect for the occasion a reviewing stand at the east side of or on the east steps of the Capitol.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

EXPENDITURES OF PARIS EXPOSITION COMMISSION.

The SPEAKER laid before the House the following message from the President of the United States; which was read and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, copy of a letter from the Commissioner-General of the United States to the Paris Exposition of 1900, of November 17, 1900, giving a detailed statement of the expenditures of the Commission for the year ended November 15, 1900.

EXECUTIVE MANSION,
Washington, December 4, 1900.

PRELIMINARY REPORT OF ISTHMIAN CANAL COMMISSION.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress a preliminary report of the Isthmian Canal Commission, dated November 30, 1900.

EXECUTIVE MANSION, December 4, 1900.

WILLIAM MCKINLEY.

DISTRIBUTION OF PRESIDENT'S MESSAGE.

Mr. PAYNE. Mr. Speaker, by direction of the Committee on Ways and Means I report back with amendments the resolution for the distribution of the President's message, and ask its present consideration in the House as in Committee of the Whole.

There being no objection, the House proceeded to the consideration of the resolution; which was read, as follows:

Resolved, That so much of the annual message of the President of the United States to the two Houses of Congress at the present session as relates to the revenue, the bonded debt of the United States, and the treaties affecting the revenue be referred to the Committee on Ways and Means.

That so much as relates to the foreign affairs, the consular and diplomatic service, including appropriations therefor, together with the accompanying correspondence and documents, and to the revision of treaties other than treaties affecting the revenue, be referred to the Committee on Foreign Affairs.

That so much as relates to the appropriations of the public revenue for support of the Government as herein provided, namely, for the legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for pensions; for the District of Columbia, and for all deficiencies, and also for the exposition at Paris in 1900, be referred to the Committee on Appropriations.

That so much as relates to the judiciary of the United States, to the administration of justice, and the organization of courts be referred to the Committee on the Judiciary.

That so much as relates to banks and banking and the currency be referred to the Committee on Banking and Currency.

That so much as relates to the mints of the United States and to the coinage of gold and silver bullion be referred to the Committee on Coinage, Weights, and Measures.

That so much as relates to the commerce of the United States, domestic and foreign, except so far as it affects the revenue, to intercolonial railways, and the Nicaragua Canal be referred to the Committee on Interstate and Foreign Commerce.

That so much as relates to agriculture and appropriations therefor be referred to the Committee on Agriculture.

That so much as relates to the merchant marine and fisheries be referred to the Committee on Merchant Marine and Fisheries.

That so much as relates to the military establishment and appropriations therefor be referred to the Committee on Military Affairs.

That so much as relates to the naval establishment and to the construction of additional vessels for the Navy, and appropriations therefor, be referred to the Committee on Naval Affairs.

That so much as relates to the post-offices and post-roads and to the carrying of the foreign mails, and appropriations therefor, be referred to the Committee on the Post-Office and Post-Roads.

That so much as relates to the public domain be referred to the Committee on the Public Lands.

That so much as relates to the relations of the United States to the Indian tribes, and appropriations therefor, be referred to the Committee on Indian Affairs.

That so much as relates to the Territories, Alaska, and the Hawaiian Islands be referred to the Committee on the Territories.

That so much as relates to the islands which came to the United States through the treaty of 1899 with Spain, and to Cuba (except so much as relates to the revenue and the appropriations), be referred to the Committee on Insular Affairs.

That so much as relates to pensions be referred to the Committee on Invalid Pensions.

That so much as relates to the Pacific railroads be referred to the Committee on Pacific Railroads.

That so much as relates to the civil service be referred to the Committee on Reform in the Civil Service.

That so much as relates to foreign immigration be referred to the Committee on Immigration and Naturalization.

That so much as relates to the census be referred to the Select Committee on the Twelfth Census.

The amendments reported by the committee were read, as follows:

After the words "nineteen hundred," on page 2, insert "the celebration of the centennial anniversary of the establishment of the seat of Government in the District of Columbia, and also the Pan-American Exposition in Buffalo in 1901."

On page 4, after the word "census," in line 5, insert "including apportionment of representation in Congress." At the end of the resolution add the following: "That so much as relates to public buildings be referred to the Committee on Public Buildings and Grounds."

The amendments were agreed to.

The resolution as amended was adopted.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

ORDER OF BUSINESS.

The SPEAKER. The next business in order is the consideration of reports to be called up by the standing committees.

The Clerk proceeded to call the committees.

MILITARY JUSTICE.

Mr. PARKER of New Jersey. I am instructed by the Committee on Military Affairs to call up House bill No. 7571.

The bill (H. R. 7571) to prevent the failure of military justice, and for other purposes, was read, as follows:

Be it enacted, etc., That every person not belonging to the Army of the United States who, being duly subpoenaed to appear as a witness before a general court-martial of the Army, willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States; and it shall be the duty of the United States district attorney, on the certification of the facts to him by the general court-martial, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than \$500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That this shall not apply to persons residing beyond the State, Territory, or District in which such general court-martial is held, and that the fees of such witness, at the

rate of 5 cents a mile from his place of residence to the place of trial and \$1.50 for each day required for such travel, shall be tendered him, and that after testifying he shall be paid at the same rate for returning and \$1.50 per day while in attendance on the court-martial, such amounts to be paid by the Pay Department of the Army out of the appropriation for compensation of witnesses.

SEC. 2. That article 94, section 1342, of the Revised Statutes of the United States be, and the same is hereby, repealed.

SEC. 3. That section 183 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"SEC. 183. Any officer or clerk of any of the departments lawfully detailed to investigate frauds on, or attempts to defraud, the Government, or any irregularity or misconduct of any officer or agent of the United States, and any officer of the Army detailed to conduct an investigation, and the recorder, and, if there be none, the presiding officer of any military board appointed for such purpose, shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation."

SEC. 4. That article 83, section 1342, of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"ART. 83. Regimental and garrison courts-martial and summary courts detailed under existing laws to try enlisted men shall not have power to try capital cases or commissioned officers, but shall have power to award punishment not to exceed confinement at hard labor for three months or forfeiture of three months' pay, or both, and in addition thereto, in the case of noncommissioned officers, reduction to the ranks, and in the case of first-class privates, reduction to second-class privates."

SEC. 5. That article 60, section 1342, of the Revised Statutes of the United States be, and the same is hereby, amended by striking out the words "shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge," and substituting therefor the words "shall, on conviction thereof by a court-martial, be punished at the discretion of the court, subject to such limitation as may be prescribed by the President by virtue of the power vested in him."

The amendments reported by the committee were read, as follows:

At the end of section 1 add the following:

"Provided, That no witness shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him."

At the end of section 4 add the following:

"Provided, That a summary court shall not adjudge confinement and forfeiture in excess of a period of one month unless the accused shall, before trial, consent in writing to trial by said court; but in any case of refusal to so consent the trial may be had either by general, regimental, or garrison court-martial, or by said summary court, but in case of trial by said summary court without consent as aforesaid the court shall not adjudge confinement or forfeiture of pay for more than one month."

Strike out section 5 and insert the following:

"SEC. 5. That article 60, section 1342, of the Revised Statutes of the United States be, and the same is hereby, amended by inserting, after the words 'shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge,' the words 'or by any or all of said penalties.'"

Mr. PARKER of New Jersey. Mr. Speaker, this bill is well named a bill to prevent the failure of military justice. It was originally prepared by the War Department for the relief of the military courts and of the soldier. Every section has received very careful attention from the committee. The substance of the measure may be stated very briefly.

At present, by statute, a military court may subpoena a witness to come before it, but when that witness appears there is no provision of law by which he can be compelled to testify. Military courts have no power to punish for contempt. In the present state of public feeling it was not thought advisable to give that power to military courts, but it was thought right that in such cases, in order to prevent the failure of justice, the military court might present the facts to the United States civil court, and that the man who refuses to attend and to testify might be tried and convicted of an offense against the United States.

It will readily be seen that in cases, especially of stealing, embezzling, etc., where other parties who are not soldiers have been privy to the offense, justice will often fail as regards the soldier himself unless evidence can be compelled.

The second section is directed to a curious anomaly. In the old days it was thought advisable to provide that courts-martial should sit only between the hours of 8 in the morning and 3 in the afternoon. The result is that proceedings are often delayed by this provision. This bill repeals that section of the Articles of War.

The third section gives to military officers who are appointed to conduct investigations the power to swear witnesses. At present officers of the Treasury Department or the Post-Office Department have the right to administer oaths; but an officer of the Army, intent on the same course of investigation, has no such power, but must go to a notary public; and if he happen to be in Alaska or in any of the Western Territories, he may be unable to find an officer to take an affidavit. This bill simply gives a military officer the same power which belongs to other officers of the Government.

The fourth section, Mr. Speaker, is one that tends most to the relief of the soldier himself; and I desire to call the special attention of the members present to it. For the past ten or fifteen years there has existed in the Army what has been called a summary court, which, in part, takes the place of a general court-martial, and has jurisdiction of small infractions of discipline and trifling offenses committed by the soldier. Under the court-martial system, a soldier who is accused of some trifling infraction of duty must wait sometimes even as long as three or four months before the court can be convened, and is subjected to

great inconvenience, and often to imprisonment for the entire time.

Of course, until the question of guilt or innocence can be tried by the court-martial, the soldier is under certain restraints according to the rules of the service. To avoid this condition, and for the punishment of slight offenses, like being late at quarters or failure to respond to roll call, it is thought desirable to enlarge the jurisdiction and scope of the powers of these summary courts. By the present law the commanding officer of the post or of a detachment of troops might appoint a summary court to try small offenders and inflict punishment not exceeding confinement in the guardhouse or labor for one month and the forfeiture of one month's pay.

In the case of a noncommissioned officer, he might be reduced to the ranks in addition to the other punishment provided. The pending bill amends the jurisdiction given to such officers who are detailed to try these offenses, and is believed to be in the interest of the service as well as of the soldier himself. The amendment provides for cases that where there are several small offenses that might be tried together, or where the penalty is increased by reason of its being the second offense, under the law as it stands the accused is often kept waiting trial for months, in the more remote garrisons, and is sometimes forced to go long distances to a court-martial. To prevent these evils the jurisdiction of the summary court is extended to punishment for three months and forfeiture of three months' pay, but with the express proviso, which the committee added by amendment, that in case of trial by summary court the penalty shall not exceed one month, as heretofore, unless the accused himself, before the trial, waives his right to a trial by a court-martial and consents in writing to trial by the summary court.

The fifth section of the bill is an amendment to the sixtieth article of war, which provides for the punishment of high crimes and misdemeanors in officers and men, such as embezzlement, stealing, frauds committed against the United States, and crimes of like character. The article provides that the party convicted shall be punished by fine or imprisonment, or by such other punishment as the court-martial may adjudge. This bill adds the words "or by any or all of said penalties."

It will be recalled by members present that in the progress of a famous military trial within the last year, which involved what was believed to be the embezzlement of many thousands of dollars on the part of an officer of engineers, it was contended that only a fine or imprisonment could be awarded, and that on conviction of the fraud a guilty officer could not be punished by fine and imprisonment and by such other punishment as the court-martial may adjudge, but only by one of them, and that if both fine and imprisonment should be awarded the sentence would be illegal. It was therefore deemed necessary to add the words "or by any or all of said penalties," so that the full limit of punishment that the law evidently intended could be awarded in such cases. This new section provides that under this article of war, on conviction, any or all of such penalties may be invoked.

If, Mr. Speaker, there are any other matters requiring explanation to the House, I shall be very glad on inquiry to respond to them and give a full explanation of all the provisions of the bill.

Mr. WHEELER. The bill, in the first section to which the gentleman has just referred, relates, as I understand it, to contempt cases?

Mr. PARKER of New Jersey. Yes.

Mr. WHEELER. What is the extreme penalty for contempt which is proposed by the bill?

Mr. PARKER of New Jersey. It authorizes a fine not exceeding \$500 to be imposed by the civil court—

Mr. WHEELER. Does any imprisonment attach?

Mr. PARKER of New Jersey (continuing). Or imprisonment, at the option of the court. I beg pardon. I did not read all of the provisions which the bill carries; but the gentleman will see that it covers both fine and imprisonment.

Mr. WHEELER. And that is the punishment for contempt merely?

Mr. PARKER of New Jersey. Yes; for contempt in refusing to obey a subpoena or refusing to testify when subpoenaed. The bill provides as follows:

That every person not belonging to the Army of the United States who, being duly subpoenaed to appear as a witness before a general court-martial of the Army, willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished, on information, in the district court of the United States; and it shall be the duty of the United States district attorney, on the certification of the facts to him by the general court-martial, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than \$500 or imprisonment not to exceed six months, or both, at the discretion of the court.

There are provisos that all fees shall be paid, and that no witness should be compelled to incriminate himself.

Mr. WHEELER. I desire to call the gentleman's attention to the phraseology of the bill. It says "if he willfully fails to attend." Suppose his failure to attend is occasioned by unavoidable casualty, such as sickness, misfortune, or something of that sort?

Mr. PARKER of New Jersey. That would not be willful.

Mr. WHEELER. Ah, yes; but I am just about to point out to the gentleman where a whimsical court might impose that penalty.

Mr. PARKER of New Jersey. I think not. I think in a legal sense he would not be guilty of willful failure, because this is a criminal prosecution, subject to the rules of criminal law, which regards willfulness as implying intention.

Mr. WHEELER. I will not dispute with my friend about a judicial construction of the language, but I desire to call attention to the fact that in statutes of that sort the phraseology generally embraces the language "unless prevented by unavoidable casualty." Now, has there been no criticism of that exact phraseology by any member of the committee?

Mr. PARKER of New Jersey. The phraseology of that section has been entirely changed from that originally suggested, and it has been very carefully drawn, so as to apply only to willful defaults.

Mr. WHEELER. I am quite sure that is the intention.

Mr. PARKER of New Jersey. Yes.

Mr. WHEELER. And I believe that will be the intention of the House; but I am trying to point out to the gentleman how it is subject to another construction. My observation has been that in statutes of that sort, to guard against the whimsical construction of some dyspeptic judge, if such can be found, they put in the language "unless prevented by unavoidable casualty."

Mr. PARKER of New Jersey. I think any jury would take care of that, inasmuch as this is an offense that would have to be tried by a jury.

Mr. WHEELER. Do you so provide?

Mr. PARKER of New Jersey. No; but it is a misdemeanor, punishable on conviction.

Mr. WHEELER. Contempt cases are always tried by the court.

Mr. PARKER of New Jersey. This is not a provision for punishment for contempt by the court. It refers the matter to the civil authorities, and there must be a conviction of a misdemeanor.

Mr. WHEELER. Yes; but contempt proceedings look to the dignity of the tribunal, and unless specifically provided that the trial shall be by jury it addresses itself to the conscience of the judge.

Mr. PARKER of New Jersey. This is not a punishment for contempt. It says that the man who refuses to attend shall be deemed guilty of a misdemeanor, for which he can be tried in a United States district court. It is not for contempt, and the judge does not have the power of punishment for contempt. A good many of us, or some of us, at least, would have liked to give the power to the military courts to punish for contempt, as they can in other countries; but that was thought inadvisable, as seeming to be an attack upon the rights of the citizen.

Mr. WHEELER. Is the penalty of \$500 an arbitrary one, or is it left to the discretion of the court?

Mr. PARKER of New Jersey. It provides that the punishment for the misdemeanor shall be in the discretion of the court, as in all other cases.

Mr. WHEELER. It shall not exceed \$500.

Mr. PARKER of New Jersey. It shall not exceed \$500.

Mr. WHEELER. One other question, if the gentleman will pardon me for one moment. In that section relating to trial by what are ordinarily termed drumhead courts-martial it is provided that the soldier shall not be so tried unless he gives written consent?

Mr. PARKER of New Jersey. Yes.

Mr. WHEELER. For cumulative offenses; where more than one offense is tried.

Mr. PARKER of New Jersey. Yes.

Mr. WHEELER. Now, when he gives written consent, do you authorize that drumhead court-martial to imprison him in their discretion?

Mr. PARKER of New Jersey. Not to exceed three months.

Mr. WHEELER. Well, that is the law that you are proposing to change, as I understand it?

Mr. PARKER of New Jersey. No; the present law limits it to one month.

Mr. WHEELER. And now you propose to make it three.

Mr. PARKER of New Jersey. Up to three.

Mr. WHEELER. I think the bill would be more acceptable if the gentleman would consent to put that expression in there "unless prevented by unavoidable casualty."

Mr. PARKER of New Jersey. There might be a great many other excuses.

Mr. COOPER of Wisconsin. Mr. Speaker—

The SPEAKER. Does the gentleman from New Jersey yield to the gentleman from Wisconsin?

Mr. PARKER of New Jersey. I do.

Mr. COOPER of Wisconsin. I wish to say in reply to the gentleman from Kentucky [Mr. WHEELER] that as I understand it in the construction of criminal statutes the word "willful" implies moral turpitude. I think the objection raised by the gentleman from Kentucky would not be tenable, because an unavoidable detention or accident does not come under that head at all.

Mr. WHEELER. Mr. Speaker, it is a well-known rule of criminal procedure that no conviction can be had unless it is based upon criminal intent. The point I want to make on the word "willfully" is that it is subject entirely to the construction of the court. The jury passes on the guilt or innocence of the defendant, and the court decides on what the punishment shall be.

The SPEAKER. The question is upon agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. PARKER of New Jersey, a motion to reconsider the vote by which the bill was passed was laid on the table.

DETAIL OF RETIRED OFFICERS, ETC.

Mr. MARSH. Mr. Speaker, I am instructed by the Committee on Military Affairs to call up for consideration and passage the bill H. R. 4742.

The bill was read, as follows:

A bill (H. R. 4742) to amend section 1225 of Revised Statutes so as to provide for detail of active or retired officers of the Army and Navy to assist in military instruction in public schools.

Whereas the national defense must depend upon the volunteer service of the people of the several States; and

Whereas those cities and towns which shall adopt a system of military instruction in their public schools are entitled to the assistance of the Government in order to secure to the United States such a knowledge of military affairs among the youth of the country as will render them efficient as volunteers if called upon for the national defense: Therefore,

Be it enacted, etc., That section 1225 of the Revised Statutes, concerning the detail of officers of the Army and Navy to educational institutions be, and the same is hereby, amended so as to permit the President to detail, under the provisions of that act, and in addition to the detail of the officers of the Army and Navy now authorized to be detailed under the existing provisions of this act, such active or retired officers and noncommissioned officers of the Army and Navy of the United States as in his judgment may be required for that purpose, not exceeding the limit provided for in section 2 of this bill, to act as instructors in military drill and tactics in normal schools of the several States, and in the public schools of the various cities in the United States, where such instruction shall have been authorized by the educational authorities thereof, and where the services of such instructors shall have been applied for by said authorities.

SEC. 2. That details of such active or retired officers and noncommissioned officers shall be made according to population, and apportioned as follows: Commissioned officers, not above the rank of captain, to cities of 100,000 and upward; sergeants, to cities of 50,000 and less than 100,000; corporals, to cities of 25,000 and less than 50,000: *Provided*, That in cities of 200,000 and upward a sergeant may be detailed for each 100,000 above 100,000 inhabitants: *And provided further*, That an active or retired commissioned officer may be detailed for this duty in the capital of any State not having 100,000 inhabitants. The maximum number of active or retired commissioned officers to be detailed under the provision of this act in State normal and public schools as herein prescribed shall not exceed 100, and shall be exclusive of the details of officers of the Army and Navy authorized by the section hereby amended, and this amendment shall not affect any provision thereof. The maximum number of active or retired noncommissioned officers to be detailed under the provisions of this act is not to exceed 300.

SEC. 3. That no detail shall be made under this act to any city or town unless it shall pay the cost of commutation of quarters of the active or retired officers or noncommissioned officers detailed thereto and the extra-duty pay to which the latter may be entitled by law to receive for the performance of special duty.

SEC. 4. That the Secretary of War is authorized to issue, at his discretion and under proper regulations to be prescribed by him, out of ordnance and ordnance stores belonging to the Government, and which can be spared for that purpose, upon the approval of the governors of the respective States, such number of the same as may be required for military instruction and practice by the normal school of any State or public schools of any city which shall adopt military instruction as a part of its public school system, and the Secretary shall require a bond in each case, for double the value of the property, for the care and safe-keeping thereof and for the return of the same when required.

SEC. 5. That this act shall take effect immediately.

The amendments recommended by the committee were read, as follows:

That the title and preamble be amended so as to read as follows:

"A bill to amend section 1225 of Revised Statutes so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools.

"Whereas the national defense must depend upon the volunteer service of the people of the several States; and

"Whereas those schools which shall adopt a system of military instruction are entitled to the assistance of the Government in order to secure to the United States such a knowledge of military affairs among the youth of the country as will render them efficient as volunteers if called upon for the national defense: Therefore,"

On page 2, line 3, strike out the word "this" and insert in lieu thereof the word "said." On the same line strike out the words "active or."

Strike out all after the word "purpose," line 2, page 6, down to and including the word "bill" in line 7, page 2.

Strike out the word "normal," line 8, page 2, and strike out all after the word "school" in line 8, page 2, down to and including the word "cities" in line 9, page 2.

Strike out all of section 2 of said bill, and change the number of section 3 to section 2.

In line 10, page 3, strike out the words "city or town" and insert in lieu thereof the word "school."

In line 11, page 3, strike out the words "active or."

After the word "duty," line 14, page 3, at the end of section 2, as renumbered, add the following:

"Provided, That no detail shall be made under the provisions of this act unless the officers or noncommissioned officers to be detailed are willing to accept such position."

Strike out in line 15, page 3, the figure "4" and insert in lieu thereof the figure "3."

In line 21, page 3, strike out the words "the normal" and insert in lieu thereof the word "such." In the same line and page, strike out all after the word "school" down to and including the word "system," page 3, line 23.

Page 4, line 3, strike out the figure "5" and insert in lieu thereof the figure "4."

Mr. MARSH. Mr. Speaker—

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to know if this bill is on the House Calendar?

The SPEAKER. The gentleman from Illinois has the floor.

Mr. RICHARDSON of Tennessee. I make the point of order—first I want to know if this bill is on the House Calendar?

The SPEAKER. What is the point of order of the gentleman?

Mr. RICHARDSON of Tennessee. I desire to know if this bill is on the House Calendar?

The SPEAKER. It is on the House Calendar.

Mr. RICHARDSON of Tennessee (continuing). And if the gentleman has been authorized by the Committee on Military Affairs to call it up.

The SPEAKER. The gentleman so stated.

Mr. RICHARDSON of Tennessee (continuing). At a regular session of the committee was he instructed to call it up?

The SPEAKER. When the bill was called up the gentleman made that statement.

Mr. RICHARDSON of Tennessee. I did not hear the statement of the gentleman.

Mr. MARSH. I stated that I was instructed by the Committee on Military Affairs to call up the bill for consideration and passage.

Mr. RICHARDSON of Tennessee. I have been unable to get a copy of the bill, and I do not know whether it has any appropriation in it or not.

Mr. MARSH. I would be glad to give the gentleman a copy of the bill.

Mr. RICHARDSON of Tennessee. Is there any appropriation in the bill?

Mr. MARSH. There is no appropriation in this bill whatever.

Mr. Speaker, under existing law officers of the Army and Navy may be detailed to educational institutions of the country, not exceeding a hundred in number. This bill authorizes the Secretary of War, in his discretion, when requested by the educational institutions, to detail to the schools of the country officers upon the retired list and noncommissioned officers as instructors in military matters. In other words, it proposes to do for the public and common schools of the country what the Government is now doing for the great colleges of the country. There is no expense whatever to the United States Government involved in it.

The bill is carefully and thoroughly guarded in that respect. The soldier or officer can not be detailed excepting by his own consent; he can not be detailed excepting upon the application of the proper school authorities making the application, it being left finally in the discretion of the Secretary of War whether the public service will admit of the detail as asked for. If gentlemen will read the bill and the numerous amendments therein it will be seen the bill is very carefully guarded in all respects and simply provides for the detail of retired Army officers, with their consent, and of the noncommissioned officers of the Army, with their consent, to teach military tactics in the schools of the country, not confined to public schools, but including public schools, including academies, and including everything that comes under the head of schools. It is an amendment of the existing law, which provides what I have just called the attention of the House to. It also provides for the issue of ordnance and ordnance stores, and I will read the section.

SEC. 3. That the Secretary of War is authorized to issue, at his discretion, and under proper regulations to be prescribed by him out of ordnance and ordnance stores belonging to the Government, and which can be spared for that purpose, upon the approval of the governors of the respective States, such number of the same as may be required for military instruction and practice by such school, and the Secretary shall require a bond in each case for double the value of the property for the care and safe keeping thereof and for the return of the same when required.

Mr. Speaker, I think this bill is a preeminently proper one, and I ask for the previous question on the bill and amendments unless some gentleman has something to say.

Mr. ADAMS rose.

The SPEAKER. The gentleman from Illinois asks for the previous question.

Mr. ADAMS. I would like to ask, pending that motion, if this bill makes any increase in the number of commissioned officers who can be detailed for this purpose?

Mr. MARSH. It makes no increase whatever. No commissioned officer can be detailed, except one on the retired list and with his consent. The noncommissioned officers that this bill

provides for can not be detailed except by their consent; and it further provides that where the officer upon the retired list is detailed the school authorities shall provide the extra pay that the officer would be entitled to.

The SPEAKER. The gentleman from Illinois asks for the previous question on the bill and amendments.

The question was taken, and the previous question was ordered. The amendments were agreed to.

The bill was then ordered to be engrossed and read the third time; and it was read the third time, and passed.

The title was amended.

On motion of Mr. MARSH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BINGHAM, from the Committee on Appropriations, submitted the bill (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Tennessee reserves all points of order on the bill.

Mr. BINGHAM. Mr. Speaker, I desire to state to the House that unless the House should otherwise determine as to the procedure to-morrow I shall call up this bill immediately after the reading of the Journal.

The Clerk, proceeding with the call of committees, called the Committee on the Post-Office and Post-Roads.

SECOND-CLASS MAIL MATTER.

Mr. LOUD. Mr. Speaker, I desire to call up House bill 10374, to amend the laws relating to the second class of mail matter.

The SPEAKER. The gentleman from California, the chairman of the Committee on the Post-Office and Post-Roads, by authority of that committee, calls up the bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the act of March 3, 1879, prescribing the conditions under which periodical publications shall be admitted to the second class of mail matter, shall not hereafter be so construed as to admit to the second-class rates publications purporting to be issued periodically and to subscribers, but which are merely books or reprints of books, whether they be issued complete or in parts, whether they be bound or unbound, whether they be sold by subscription or otherwise, or whether they purport to be premiums or supplements or parts of regular newspapers or periodicals.

SEC. 2. That news agents shall not be allowed to return to news agents or publishers at the pound rate unsold periodical publications, but shall pay postage on the same at the rate of one cent for four ounces.

Mr. RICHARDSON of Tennessee. Mr. Speaker, this bill, I submit, ought not to be on the House Calendar. It affects the revenue. It certainly relates to the postage rates. I do not see how it can be placed on the House Calendar.

Mr. LOUD. It (or a bill similar to this) has been on the House Calendar a number of years.

Mr. RICHARDSON of Tennessee. This bill certainly affects the revenue, and under the rules ought not to be on the House Calendar.

Mr. LOUD. It does not involve an expenditure of public money.

Mr. RICHARDSON of Tennessee. It does involve an expenditure, because it affects the rates of postage. As I understand the rule, a bill, to be placed upon the House Calendar, must be a bill that does not affect the revenues in any way. I did not catch the full reading of the bill, and therefore do not know the merits of the bill, but we ought to adhere to the rule.

Mr. LOUD. I would like to suggest to the gentleman from Tennessee [Mr. RICHARDSON] that when the original bill was on the House Calendar there was no objection raised against it. I think that was in 1896.

Mr. WHEELER. 1896? That is cut off by the statute of limitations. [Laughter.]

Mr. RICHARDSON of Tennessee. I have already stated that it might be a meritorious bill or I might have voted for an improper bill, but I do not think that affects the question of the point of order raised.

The SPEAKER. The Chair will hear the gentleman from California on the point of order.

Mr. LOUD. I will state to the House, Mr. Speaker, that my understanding of this bill is that it is properly on the House Calendar. The question came up some years ago. When the bill was first reported, or a bill similar in character, it was placed on the Union Calendar, but subsequently was placed on the House Calendar, as it involves no expenditure of public money. House bill No. 6071 was on the House Calendar, and was considered by the House at its last session. It was recommitted to the Committee on the Post-Office and Post-Roads. Whether the question as to its being properly on the House Calendar was then raised or not I do not know. The bill, however, was recommitted to the committee, and this bill has been reported by the committee in place of House bill

No. 6071. We have, in fact, Mr. Speaker, a long line of precedents showing that this bill was properly placed on the House Calendar. That is all I have to offer. It has been on the House Calendar, permit me to say, for four years. I also call attention again to the fact that it is reported by the House committee in place of the bill which was recommitted to that committee.

Mr. MOON. I ask the gentleman from California whether this is not an entirely new bill?

Mr. LOUD. Well, no; it is not a new bill. It is a portion of House bill No. 6071.

Mr. MOON. The gentleman introduced a new bill on this subject; and this, as I understand, is the bill which he introduced.

Mr. LOUD. I think so; yet it is a portion of House bill No. 6071. There is nothing in this bill that was not in that bill—not a single letter or word.

Mr. MOON. But there is more in this bill?

Mr. LOUD. Nothing more; there is not a word in this bill that was not in the other.

Mr. MOON. Nothing more and nothing less?

Mr. LOUD. There is something less, but nothing more.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I want to say a word to the gentleman from California. Although this bill may have been on the House Calendar, it may have been there improperly. Now, if the point of order has been made and has been adjudicated by the present occupant of the chair, that is one question; but that is not the case as I understand it. The rule requires that the bill must not only be on the House Calendar, but must properly be there. That is the object of this inquiry—Is this bill properly on the House Calendar; and if so, how did it get there? We are now asked to consider this bill, but unless the gentleman has been authorized by his committee to call it up in this hour, it can not be considered as I understand the rule. I make that point of order also. I desire to sustain the integrity of the rule, because I believe that living up to rules in every case is our only safety.

Mr. HEPBURN. Will the gentleman quote the language of the rule on which he relies?

Mr. RICHARDSON of Tennessee. It will be found in clause 4 of Rule XXIV.

The SPEAKER. Does the gentleman from Tennessee make the point that the committee has not authorized the consideration of this bill under this call?

Mr. RICHARDSON of Tennessee. The gentleman from California has not so stated.

The SPEAKER. The Chair understood the gentleman to so state in answer to a question of the Chair.

Mr. RICHARDSON of Tennessee. I did not so understand.

Mr. LOUD. The Chair asked me that question when the bill was first presented; and permit me to say that we do not attempt to smuggle anything through the House.

Mr. RICHARDSON of Tennessee. I did not intimate any such thing. The gentleman must have misunderstood me. I did not understand the gentleman to have answered that question. If I had I should not have made the point.

Mr. LOUD. I wish to call attention to the language of Rule XIII, which I suppose the Chair has looked at. I call attention to the second clause, which refers to bills on the House Calendar:

A House Calendar, to which shall be referred all bills of a public character not raising revenue nor directly or indirectly appropriating money or property.

Now, this bill is clearly within clause 2 of that rule. It does not directly or indirectly appropriate any money, neither does it propose to raise revenue.

Mr. RICHARDSON of Tennessee. It deals with postage rates, and it certainly affects the revenue. The present occupant of the chair, at the first session of this Congress—I refer to the RECORD, page 2455—held that the bill must be properly on the Calendar—not simply there, but properly there—before it could be considered in this hour.

Taking the statement of the gentleman from California, which I always take as true, that he is authorized to call this bill up, I insist that the bill ought not to be here, because it is not properly on this Calendar. If it deals with revenue in any way, it can not be considered in this hour. And the rule is founded in wisdom. It ought not to be departed from.

Mr. HEPBURN. Does the gentleman regard this as a bill raising revenue?

Mr. RICHARDSON of Tennessee. No, it does not raise revenue, but it affects the revenue; it expends the revenue. Take, for instance, a bill reducing the revenue; it can not be said that it raises revenue, but it affects the revenue; so with an appropriation of any kind. This bill regulates the rates of postage, and postage is public money.

Mr. HEPBURN. Is it not true that the bills which may not be on the House Calendar are bills raising revenue—in other words, revenue bills—in other words, bills reported by the Committee on Ways and Means.

Mr. RICHARDSON of Tennessee. Does the gentleman mean to say that such bills may go on the House Calendar?

Mr. HEPBURN. No; I say such bills go to the Union Calendar.

Mr. RICHARDSON of Tennessee. Certainly.

Mr. HEPBURN. But this not being a bill of that kind—not raising revenue, not coming from the Committee on Ways and Means—goes properly to the House Calendar.

Mr. RICHARDSON of Tennessee. But does not this bill propose to expend the public revenue?

Mr. HEPBURN. Not a dollar.

Mr. RICHARDSON of Tennessee. Does it not provide how the public revenue shall be expended in the matter of postage?

Mr. HEPBURN. Not a dollar.

Mr. RICHARDSON of Tennessee. Why, certainly it does; it fixes the rates of postage to be paid on periodicals, and in some cases, one at least, raises the rate.

Mr. HEPBURN. It fixes certain rates of postage; but that does not make it a revenue bill; that does not make it a bill which should come from the Committee on Ways and Means.

Mr. RICHARDSON of Tennessee. A bill affecting the revenue does not have to come, necessarily, from the Committee on Ways and Means.

Mr. HEPBURN. I undertake to say that the proper test would be this: If this were a revenue bill, it would necessarily go to the Committee on Ways and Means, and the Post-Office Committee would not have jurisdiction of it.

Mr. RICHARDSON of Tennessee. No; if it were a bill affecting postage rates, it would not have to go to the Ways and Means Committee.

Mr. HEPBURN. But this is not a revenue bill; it does not propose to raise revenue in the sense in which that term is used in the rule.

Mr. RICHARDSON of Tennessee. The object of the rule, as I understand, is that whenever you expend the people's money or whenever you dispose of public property, the matter must be considered in Committee of the Whole, and such a bill must not go upon the House Calendar. This bill provides a charge upon the people and should go to Committee of the Whole.

The House Calendar is provided, under the rule, for such bills as make no charge upon the people—bills that carry no appropriation or that provide for no expenditure of the public money—bills that do not dispose of any of the public property. I think that we ought to adhere to the rule, and that is the only object I have in view.

The SPEAKER. The Chair would ask the gentleman from California to give his attention to page 2 of the bill, which prescribes that the postage shall be hereafter 1 cent for each 4 ounces of weight. Is that an increase or a decrease?

Mr. LOUD. It is an increase, Mr. Speaker, on the present rate. That is, I should say there is a decision of the Department which fixes that rate. But I defy any man to find any statute on the statute books of the United States that provides for the return of unsold copies of the printed matter referred to in that paragraph; and I repeat that the law, as it now stands, is simply a decision of the Department, or a regulation if you please, or a custom, which has grown up in the Department, and without any warrant whatever of law. And I challenge anyone to show any warrant of law for the return through the mails of any such unsold copies of periodicals as are covered by this provision.

Section 2 of the bill fixes the rate at 4 cents per pound, postage on such periodicals.

Mr. MOON. I would like to ask the gentleman from California a question. I understand that this is the Loud bill, which was before the House and the committee at the last session of Congress?

Mr. LOUD. The gentleman, of course, being a member of the Committee on Post-Offices and Post-Roads, understands what the bill is, and is thoroughly familiar with it. It is a similar bill, from which certain provisions have been eliminated.

Mr. MOON. I understand that, Mr. Speaker. I, as a member of the committee, know the facts to be as the gentleman has stated them to the House; but I wanted the question fairly brought out before the House, and to have it understood whether this bill was or was not identical with the bill which was defeated on the occasion to which I have referred.

Mr. LOUD. I will state to my colleague on the committee that the bill (10374) now proposed to be called up simply includes—or excludes, I should say—books, serial novels, and such publications from the mails under the provision prescribed in the bill, and prohibits the return of any unsold copies of such publications, as is the custom now, at 1 cent a pound.

Mr. MOON. And that embraces the amendment which was sought to be placed on the original bill?

Mr. LOUD. This is, in substance, the language of House bill No. 6071, so far as that bill went. But there is eliminated from

the bill all reference to newspapers; and the bill is confined directly to periodicals such as books and magazines.

Mr. MOON. Because, if the gentleman will permit me, that was largely the subject of contention with reference to the other bill; and as a member of the committee I desired to get the facts before the House.

Mr. LOUD. The gentleman is entirely correct in that. This refers, not to newspapers, but to books and periodicals, such as magazines and novels.

The SPEAKER. The Chair is ready to rule upon the question of order which has been presented.

Rule XIII, referred to by the gentleman from California, prescribes the class of legislation that can go upon the House Calendar, as well as the other Calendars of the House, and the second paragraph of that rule is in the following language:

Second. A House Calendar, to which shall be referred all bills of a public character not raising revenue, nor directly or indirectly appropriating money or property.

That, of course, indicates the class of bills that may properly be placed upon the House Calendar.

Rule XXIII prescribes the class of business before the House which must be sent to the Committee of the Whole House on the state of the Union for consideration, and is in the following language:

All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriations to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, or referring any claim to the Court of Claims, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Now, it seems to the Chair that the vital question presented in this discussion is as to whether or not this is a matter affecting the revenues of the Government.

It is admitted by the gentleman in charge of the bill—and the Chair is not familiar with the rate of taxation under such conditions—that this increases the rate of postage, and to that extent increases the burdens on the people of the country. It may probably raise more revenue. As to that the Chair is unable to say; but it clearly affects the revenue. That is admitted. There can be no question as to that fact. Now, if the contention be made that increasing the rate of postage does not affect the revenue, it may be answered that the House has already taken a decided stand on that question.

In 1859, when the Post-Office appropriation bill went from the House to the Senate, that body added to the bill a proposition increasing the rate of postage. The House, under the leadership of Mr. GROW, of Pennsylvania, took the ground that that did affect the revenue, and a stubborn and long-continued fight followed between the two Houses. The House of Representatives allowed the Post-Office appropriation bill to fail before it would yield on that point.

Now, it seems to the Chair to be clear that an increase of the rate of postage does affect taxation, does affect the revenue; and the Chair is clearly of the opinion that it is a matter that should first be considered in the Committee of the Whole House on the state of the Union, and therefore sustains the point of order.

Mr. LOUD. Mr. Speaker, I will ask how much time has expired since the beginning of the morning hour?

The SPEAKER. Three-quarters of an hour. Has the gentleman anything further from the Committee on the Post-Office and Post-Roads?

Mr. LOUD. I have not.

The SPEAKER. The Clerk will proceed with the call.

BUSINESS FROM THE COMMITTEE ON THE PUBLIC LANDS.

The Committee on the Public Lands was called.

Mr. LACEY. Mr. Speaker, there are two or three matters of minor importance upon this Calendar from the Committee on the Public Lands, but the Clerk has been unable to furnish the Calendar showing the present condition of the bills before the House, and I have been unable, for that reason, since the call of committees has commenced, to get those bills ready. I ask that the committee be passed without prejudice, so that when the bills are ready they may be called up.

The SPEAKER. The gentleman from Iowa [Mr. LACEY] asks unanimous consent that the Public Lands Committee be passed on this call without prejudice. Is there objection?

There was no objection.

BONDS OF PIMA COUNTY, ARIZONA TERRITORY.

The Committee on the Territories was called.

Mr. KNOX. Mr. Speaker, I call up the bill H. R. 8068, which is on the House Calendar.

The SPEAKER. It is essential, in calling up bills in the morning hour, for the gentleman calling them up to state whether it is by authority of the committee that he does so.

Mr. KNOX. It is by authority of the Committee on the Territories.

The SPEAKER. The gentleman from Massachusetts, from the Committee on the Territories, and by authority of that committee, calls up a bill, which the Clerk will now report.

The bill (H. R. 8068) authorizing the board of supervisors of Pima County, Arizona Territory, to issue fifty-year 5 per cent bonds of Pima County, Arizona Territory, to redeem certain funded indebtedness of said county, was read, as follows:

Whereas under and by virtue of the authority of Title XXXI, chapter 2, county indebtedness, paragraphs 2053, et seq., of the revised statutes of Arizona Territory, approved March 2, 1887, the board of supervisors of Pima County, Ariz., issued \$250,000 of negotiable coupon bonds of said county, all dated June 30, 1887, being 250 bonds, each for the sum of \$1,000, and falling due after their date as follows, to wit: One to 25 (both inclusive), ten years after date; 26 to 50 (both inclusive), eleven years after date; 51 to 75 (both inclusive), twelve years after date; 76 to 100 (both inclusive), thirteen years after date; 101 to 125 (both inclusive), fourteen years after date; 126 to 150 (both inclusive), fifteen years after date; 151 to 175 (both inclusive), sixteen years after date; 176 to 200 (both inclusive), seventeen years after date; 201 to 225 (both inclusive), eighteen years after date; 226 to 250 (both inclusive), nineteen years after date; and

Whereas under and by virtue of the provision of title 31, chapter 1, Territorial indebtedness, revised statutes of Arizona, approved March 10, 1887, and of the act of Congress approved June 25, 1890, approving, with amendments, the said funding act of Arizona Territory, and of act No. 79 of the Territory of Arizona, approved March 18, 1891, and of the act of Congress approved June 6, 1896, part of the said bonds, to wit, Nos. 1 to 103 (both inclusive), were funded; and

Whereas it will be of great advantage to Pima County to refund the remainder of said bonds, to wit, Nos. 104 to 250 (both inclusive); and

Whereas paragraph 2039 of the said title 31 of chapter 1, revised statutes of Arizona, approved March 10, 1887, has been repealed, and said bonds can not be refunded under any of the provisions of said chapter 1, or of the act of Congress of June 25, 1890, or of the act of Congress of June 6, 1896, or of the act No. 79 of the Territory of Arizona, approved March 18, 1891: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the board of supervisors of Pima County, Arizona Territory, be, and they are hereby, authorized to prepare, execute, sell, and deliver, from time to time, bonds of the said Pima County, in accordance with the provisions of title 31, chapter 2, county indebtedness, of the revised statutes of Arizona, approved March 2, 1887, bearing interest not exceeding 5 per cent per annum, both principal and interest payable only in gold coin of the United States of America of present standard, the proceeds to be used only for the redemption of the aforesaid 147 bonds of Pima County, Arizona Territory. The total amount of the bonds hereby authorized to be issued shall not exceed \$147,000, and no bonds shall be issued under the provisions of this act except when it is necessary so to do in order to refund the aforesaid indebtedness of Pima County, and then only in amounts sufficient to refund such indebtedness as it falls due as hereinbefore set out. None of said bonds shall be sold or exchanged for less than their par value and any interest that may be due thereon, and this act shall be printed on the back of all bonds issued under the provisions of this act.

SEC. 2. That this act take effect and be in force from and after its passage.

Mr. KNOX. Mr. Speaker, I yield such time as I may be entitled to on this bill to the gentleman from Arizona [Mr. WILSON].

Mr. WILSON of Arizona. Mr. Speaker, as will appear from the preamble of the bill, a little more than thirteen years ago \$300,000 of the outstanding indebtedness of Pima County was refunded. One hundred and fifty-three thousand dollars of that has been settled. There is still \$147,000 of it yet unsettled, falling due \$25,000 annually.

The bonds bear interest at 7 per cent per annum. The holders of those old bonds propose to exchange them for new ones, fifty-year 5 per cent bonds. The county is without authority to refund the bonds without the consent of Congress. In order that she may save about \$3,000 a year in interest, and save herself from being cramped for payment of the principal at the present time, this bill has been introduced. The effect of it is to give the county fifty years' time in which to raise a sinking fund for the payment of the principal and to save \$3,000 annually in interest, as a new settlement or a new contract with the holders of the old bonds, who agree to take the new ones. For that reason, of course, we can see no reason why the bill should not be passed, and I ask that it do pass.

Mr. GAINES. I should like to ask the gentleman a question. In what are these old bonds payable?

Mr. WILSON of Arizona. They are payable in cash, to be paid by a tax levied by the county.

Mr. GAINES. Payable in coin—gold and silver or gold or silver, and if either, which?

Mr. WILSON of Arizona. The old bonds are gold bonds, and the new ones necessarily must be.

Mr. GAINES. You are certain they are gold bonds?

Mr. WILSON of Arizona. I am certain of that.

Mr. GAINES. They are payable on their face in gold?

Mr. WILSON of Arizona. That is specified on their face; yes.

Mr. GAINES. When were these bonds issued?

Mr. WILSON of Arizona. In 1887.

Mr. GAINES. I want to record my opposition to making our obligations payable in only one of our coin monies or in any specific kind of our several moneys. We say, and by law, our moneys are all equal. Such legislation is a confession, and that, too, by law, that they are not equal or equally good, thereby discrediting the money contracted against, and crediting, and unnecessarily so if they are all equal, to the one contracted for, in this case gold. This also produces a disparity of the two coins, when our very laws say and the policy of this Government has been to keep the two coins—indeed, our moneys—on a parity. This kind of

legislation and these kind of contracts break down the very thing we declare by law is our fixed policy—the keeping at least our coin, gold and silver, on a parity. This particular bill, it seems, is excused, from the fact that it carries out the original undertaking to pay these bonds in gold, protecting to that extent what the creditor would claim his right to be. The policy of such legislation is wrong and should never have been started.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. CRUMP (on the request of Mr. WM. ALDEN SMITH), indefinitely, on account of sickness.

To Mr. BREWER, indefinitely, on account of sickness.

And then, on motion of Mr. PAYNE (at 1 o'clock and 33 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred by the Speaker as follows:

Annual report of the Secretary of the Treasury for the year ended June 30, 1900—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Commissioner of Fish and Fisheries, showing expenditures for propagation of food-fishes during the year ending June 30, 1900—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Comptroller of the Currency, transmitting the annual report for the year ending October 31, 1900—to the Committee on Banking and Currency, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for preparation of Official Register of the United States—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Chief of Bureau of Statistics submitting an estimate of appropriation for increase of a salary—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for repairs on roof of Capitol—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Assistant Secretary of the Treasury submitting an estimate of appropriation for salaries in division of customs—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for increase of salary of chief clerk—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Superintendent of the Coast and Geodetic Survey submitting an estimate in relation to appropriations for Coast and Geodetic Survey—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for third secretary of the embassy at Rome—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for salaries in the Post-Office Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Auditor for the War Department submitting an estimate of appropriation for pay of certified claims arising from war with Spain—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Auditor for the Navy Department submitting an estimate of appropriation for one law clerk—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Treasurer of the United States submitting an estimate of appropriation for additional chief of division in Treasury Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for fees for clerks in lunacy cases—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the secretary of the Territory of Hawaii submitting an estimate of appropriation for improvements and miscellaneous expenses—to the Committee on Appropriations, and ordered to be printed.

A letter from the Attorney-General, transmitting a list of judgments rendered in Indian depredation claims—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CANNON, from the Committee on Appropriations, to which was referred the bill of the House (H. R. 12283) in relation to the celebration of the centennial anniversary of the establishment of the permanent seat of government in the District of Columbia, reported the same, accompanied by a report (No. 2008).

Mr. BINGHAM, from the Committee on Appropriations, to which was referred the bill of the House (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, reported the same, accompanied by a report (No. 2009); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4300) to increase the efficiency of the military establishment of the United States, reported the same with amendments, accompanied by a report (No. 2010); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LANE: A bill (H. R. 12284) authorizing construction of bridge—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: A bill (H. R. 12285) to establish a national military park at Valley Forge, Pa.—to the Committee on Military Affairs.

By Mr. JONES of Washington: A bill (H. R. 12286) providing that disabilities existing prior to enlistment shall not be considered ground for rejection of claim for pension—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12287) forbidding the payment of witness fees and mileage to Indians who instigate violations of the laws prohibiting the selling or disposal of intoxicating liquors to Indians—to the Committee on the Judiciary.

By Mr. BRENNER: A bill (H. R. 12288) to provide for the purchase of a site and the erection of a public building thereon at Hamilton, in the State of Ohio—to the Committee on Public Buildings and Grounds.

By Mr. NORTON of Ohio: A bill (H. R. 12289) making the salary of the collector of customs for the Sandusky, Ohio, district \$2,500, in lieu of all fees, commissions, and other emoluments heretofore allowed—to the Committee on Ways and Means.

By Mr. BOWERSOCK: A bill (H. R. 12290) to amend an act entitled "An act to regulate commerce"—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM, from the Committee on Appropriations: A bill (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, accompanied by a report (No. 2009).

By Mr. BROMWELL: A bill (H. R. 12292) for the classification of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. WILSON of Arizona: A bill (H. R. 12293) authorizing the adjustment of rights of settlers on the Navajo Indian Reservation, Territory of Arizona—to the Committee on Indian Affairs.

By Mr. MORRIS: A bill (H. R. 12327) to amend an act granting to railroads the right of way through the public lands of the United States, approved March 3, 1875—to the Committee on Rivers and Harbors.

By Mr. RIXEY: A bill (H. R. 12328) to increase the membership of the Court of Claims, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 12329) for the judicial ascertainment of claims against the United States—to the Committee on the Judiciary.

By Mr. KITCHIN: A joint resolution (H. J. Res. 272) proposing an amendment to the Constitution providing for the repeal of the fifteenth amendment—to the Committee on the Judiciary.

By Mr. DICK: A joint resolution (H. J. Res. 273) permitting certain officers and enlisted men to wear distinctive badges—to the Committee on Military Affairs.

By Mr. SULZER: A joint resolution (H. J. Res. 274) protesting against the continuation of the war in South Africa—to the Committee on Foreign Affairs.

By Mr. HULL: A resolution (H. Res. 306) relating to the consideration of Senate bill 4300—to the Committee on Rules.

By Mr. DRIGGS: A resolution (H. Res. 307) requesting the Secretary of War to investigate the practice of hazing at the West Point Military Academy, and more particularly the hazing of Oscar L. Booz, formerly a cadet at the said Military Academy from the Seventh Congressional district of Pennsylvania—to the Committee on Military Affairs.

By Mr. CAPRON: A resolution (H. Res. 308) for the employment of eight additional folders during the present session—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN of Maine: A bill (H. R. 12294) granting a pension to Lottie M. V. Rankins—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 12295) granting an increase of pension to John Maxwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12296) granting an increase of pension to John F. Starcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12297) granting an increase of pension to Andrew J. Harbison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12298) granting an increase of pension to John Revely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12299) granting a pension to Wells Palmer—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 12300) granting an increase of pension to William W. Thornton—to the Committee on Invalid Pensions.

By Mr. GASTON: A bill (H. R. 12301) granting an increase of pension to Jacob E. Swap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12302) to restore pension to William F. Blanchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12303) for the relief of Henry Mulvin—to the Committee on Military Affairs.

Also, a bill (H. R. 12304) granting a pension to Mrs. Mary B. Whiteley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12305) granting an increase of pension to Thomas Williams—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 12306) to reimburse Horatio V. Warner for loss during the civil war and for pension commensurate with the services rendered—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12307) for the relief of Susan C. Thorne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12308) for the relief of Sarah Riddle—to the Committee on Pensions.

Also, a bill (H. R. 12309) for the relief of John Brill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12310) to grant authority and jurisdiction to the Court of Claims—to the Committee on Claims.

By Mr. BELLAMY: A bill (H. R. 12311) for the relief of St. James Episcopal Church, of Wilmington, N. C.—to the Committee on War Claims.

By Mr. CONNELL: A bill (H. R. 12312) granting a pension to Mrs. Eliza J. Norris and her three minor children—to the Committee on Invalid Pensions.

By Mr. DRIGGS: A bill (H. R. 12313) granting an increase of pension to Francis McCarthy—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 12314) correcting the military record of Elphas Coakley—to the Committee on Military Affairs.

By Mr. LAWRENCE: A bill (H. R. 12315) granting an increase of pension to William J. Simmons—to the Committee on Invalid Pensions.

By Mr. LANHAM (by request): A bill (H. R. 12316) granting arrears of pension to Elmira E. Harris, formerly Elmira E. Pool—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 12317) granting a pension to Mary Tripp—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 12318) granting an increase

of pension to Sarah K. Joyce—to the Committee on Invalid Pensions.

By Mr. NORTON of Ohio: A bill (H. R. 12319) to correct the military record of Jacob McDowell—to the Committee on Military Affairs.

By Mr. OTEY: A bill (H. R. 12320) for relief of Thomas V. Mosby—to the Committee on War Claims.

By Mr. RIXEY (by request): A bill (H. R. 12321) to authorize the issuance of a patent to James Seldon Cowdon upon the payment of certain fees—to the Committee on Patents.

By Mr. SHERMAN: A bill (H. R. 12322) granting a pension to Daniel Madigan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12323) for the relief of Jacob H. Harter—to the Committee on Military Affairs.

By Mr. SIBLEY: A bill (H. R. 12324) granting a pension to James McMurtrie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12325) granting an increase of pension to Edward P. Shaw—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: A bill (H. R. 12326) to remove the charge of desertion from the naval record of John Hogan—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the McFadden Coffee and Spice Company, of Dubuque, Iowa, in favor of certain amendments to the Brosius pure-food bill—to the Committee on Agriculture.

By Mr. ADAMS: Petition of the Philadelphia Board of Trade, urging a reduction of the war revenue tax of June 13, 1898—to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petition of certain commercial and industrial bodies of St. Louis, Mo., in favor of the improvement of the Mississippi river between St. Louis and Cairo—to the Committee on Rivers and Harbors.

By Mr. BINGHAM: Memorial of the Philadelphia Board of Trade recommending such modification of the stamp taxes as can be obtained without hampering the Administration in necessary expenditures—to the Committee on Ways and Means.

By Mr. BOUTELLE of Maine: Petition of Maine State Grange, Patrons of Husbandry, in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. BROSIUS: Resolutions of the Woman's Christian Temperance Union of New Providence, Pa., against saloons in our island possessions and for the abolition of the Army canteen—to the Committee on Insular Affairs.

Also, petition of brewers of Lancaster, Pa., for relief from the revenue tax on beer—to the Committee on Ways and Means.

By Mr. BULL: Petition of Friends' Church of Portsmouth, R. I., against island saloons and canteens—to the Committee on Military Affairs.

By Mr. BURKETT: Petition of E. S. Rouse and sundry other persons in Nebraska in favor of the Grout oleomargarine bill—to the Committee on Agriculture.

By Mr. COCHRANE of New York: Petition of druggists of Troy, N. Y., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. CORLISS: Sundry petitions of home and foreign missionary societies and Presbyterian churches of Detroit, Mich., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. DOVENER: Affidavit in support of House bill No. 1758, for the relief of Joseph Fitzpatrick—to the Committee on Invalid Pensions.

By Mr. GRAHAM: Petition of Charles Miller, department commander of Pennsylvania, Grand Army of the Republic, praying for the passage of House bill No. 5499, for the relief of the officers of the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: Resolutions of the woman's home missionary societies of Presbyterian churches of Buchanan and Decatur, Mich., and petition of 97 citizens of Buchanan, for the restriction of polygamy—to the Committee on the Judiciary.

By Mr. JENKINS: Petition of Gus Olson and other citizens of Orange, Wis., relating to Government lands in Wisconsin and to prohibit its sale to speculators—to the Committee on the Public Lands.

By Mr. KLUTTZ: Petition of D. E. G. Parsons, of Dallas, N. C., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. LANHAM: Papers to accompany House bill granting arrears of pension to Elmira E. Harris, formerly Elmira E. Pool—to the Committee on Invalid Pensions.

By Mr. LESTER: Petition of the heirs of Alfred E. Jones, deceased, late of Chatham County, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. LITTLEFIELD: Protest of John R. Kelley and 64 other citizens of Maine, against subsidy to foreign-built vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. LONG: Resolutions of the Woman's Christian Temperance Union of Anthony and the Methodist Episcopal Church of Marquette, Kans., in relation to the exclusion of all spirituous liquors from our insular possessions—to the Committee on Insular Affairs.

By Mr. MADDOX: Petition of Washington Ransom, of Walker County, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. MANN: Resolutions of L. H. Drury Post, No. 467, and George G. Meade Post, No. 444, Grand Army of the Republic, Department of Illinois, in favor of House bill No. 5779, known as the "veteran preference measure"—to the Committee on Reform in the Civil Service.

By Mr. MCALEER: Petition of retail druggists of Philadelphia, Pa., for the repeal of the special tax on proprietary medicines, etc.—to the Committee on Ways and Means.

Also, resolutions of the Produce Exchange of Philadelphia, Pa., favoring the Grout bill—to the Committee on Agriculture.

By Mr. PAYNE: Resolutions of Albert M. Murray Post, No. 163, Department of New York, in favor of House bill No. 5779, known as the "veteran preference measure"—to the Committee on Reform in the Civil Service.

Also, petitions of the Woman's Christian Temperance Unions of East Auburn and of Cayuga County, N. Y., union meetings of Methodist Episcopal churches of Wolcott, N. Y., and the Methodist Episcopal Church of Sodus, N. Y., against island saloons and Army canteens—to the Committee on Military Affairs.

Also, resolutions of the Woman's Missionary Society of the Methodist Episcopal Church of Weedsport, N. Y., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petitions of A. H. Holt, W. F. Wilken, R. E. Weidler, and other citizens of Indiana, in favor of the Grout oleomargarine bill—to the Committee on Agriculture.

By Mr. SHERMAN: Paper to accompany House bill for the relief of Jacob H. Harter—to the Committee on Military Affairs.

By Mr. SPERRY: Petition of George Van Horn Post, No. 39, Grand Army of the Republic, Department of Connecticut, favoring the passage of House bill No. 5779, relating to the appointment of war veterans to the public service—to the Committee on Reform in the Civil Service.

Also, petition of druggists of Waterbury, Conn., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

Also, resolutions of the State Board of Trade of Connecticut, urging the passage of House bill relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of various citizens of New Haven, Conn., against the Army canteen—to the Committee on Military Affairs.

Also, petition of citizens of Meriden, Conn., against the sale of intoxicating liquors in our new possessions—to the Committee on Insular Affairs.

By Mr. STEVENS of Minnesota: Resolutions of the Retail Grocers' Association of Minneapolis, Minn., against the parcel-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Resolutions of the Manufacturers' Association of New York, urging the improvement of Buttermilk Channel—to the Committee on Rivers and Harbors.

Also, petition of the United States Brewers' Association, for the repeal of the war tax of \$1 per barrel on beer in the war-revenue act—to the Committee on Ways and Means.

Also, resolution of the New York Mercantile Exchange, in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. WADSWORTH: Resolutions of Staunton Post, No. 396, Grand Army of the Republic, Department of New York, favoring the passage of House bill No. 5779, giving veterans preference in public service—to the Committee on Reform in the Civil Service.

Also, petition of 6 citizens of Kendall, N. Y., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolutions of Presbyterian, Baptist, and Methodist congregations of Wyoming County, N. Y., asking extension of treaty excluding slavery, rifles, and spirituous liquors from portions of Africa, etc.—to the Committee on Foreign Affairs.

By Mr. YOUNG: Petition of the Philadelphia Board of Trade, praying for a reduction of the war-revenue tax—to the Committee on Ways and Means.

SENATE.

WEDNESDAY, December 5, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

JOHN C. SPOONER, a Senator from the State of Wisconsin, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

COST OF NAVAL TRANSPORTATION, ETC.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of May 23, 1900, reports from the various bureaus of the Navy Department, containing information relative to the armed vessels, tenders, and war ships sent to the Philippines, or from there since May 1, 1898, their tonnage, traveling distances, etc., tolls paid the Suez Canal Company, distances covered in time of the cruise of the *Oregon* from the Pacific coast to Manila, etc.; which, with the accompanying papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

ELECTORAL VOTES OF MARYLAND.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a certified copy of the final ascertainment of the electors for President and Vice-President appointed in the State of Maryland at the election held therein on the 6th day of November, 1900; which, with the accompanying papers, was ordered to lie on the table.

SARAH E. NORTON.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Sarah E. Norton, administratrix, vs. The United States; which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

CREDENTIALS.

Mr. BERRY. Mr. President, I present the credentials of SAMUEL D. MCENERY, elected a Senator from the State of Louisiana for the term beginning the 4th of March, 1903. I ask that they be read and placed on file.

The credentials of SAMUEL DOUGLAS MCENERY, chosen by the legislature of the State of Louisiana a Senator from that State for the term beginning March 4, 1903, were read and ordered to be filed.

Mr. MCENERY presented the credentials of Murphy James Foster, chosen by the legislature of the State of Louisiana a Senator from that State for the term commencing March 4, 1901; which were read and ordered to be filed.

Mr. ALDRICH. I present the credentials of my colleague, who has been elected a Senator from the State of Rhode Island for six years, commencing March 4, 1901.

The credentials of GEORGE PEABODY WETMORE, chosen by the legislature of the State of Rhode Island a Senator from that State for the term beginning March 4, 1901, were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of sundry citizens of Chicago, Ill., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of the Dental Society, the Odontographic Society, and the Odontological Society, all of Chicago, in the State of Illinois, and of the Tri-State Dental Societies of Indiana, Michigan, and Ohio, praying for the enactment of legislation providing for the appointment of Army dental surgeons in the Philippine Islands; which were referred to the Committee on Military Affairs.

He also presented a petition of members of the National Convention of Good Roads, praying that an appropriation be made to carry on the construction of good roads under the supervision of the director of public road inquiries; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Ladies' Aid Society of the Presbyterian Church of Minonk, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Alaska, Hawaii, the Philippines, Porto Rico, and Cuba; which was referred to the Committee on Military Affairs.

He also presented the petitions of Isaac Norris, of Deselm; John Rice, of Deselm; F. M. Wright, of Manteno; V. W. Lawrence, of Manteno; J. J. Mattingly, of Champaign; John J. Lingle, of Mill-creek; Jacob Gerhart, of Allison; Walter Vantile, of Carthage; A. L. Hitz, of Grantfork; John Andrew, of Caledonia; C. E. Drake,